

Memorandum for the Committee

ON

Division of Functions.

Memorandum by the Hon'ble Syed Raza Ali, B.A., L.L.B., Vakil of the North Western Provinces High Court at Allahabad, Member of the United Provinces Legislative Council, Member of the Council of the All-India Moslem League, and Vice-President of the Provincial Moslem League of the United Provinces.

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PRELIMINARY.

The pronouncement made by the Imperial Government in the House of Commons on the 20th August 1917 states:—

“The policy of His Majesty's Government, with which the Government of India are in complete accord, is that of increasing the association of Indians in every branch of the administration and the gradual development of self-governing institutions with a view to the progressive realization of responsible government in India, as an integral part of the British Empire. They have decided that substantial steps in this direction should be taken as soon as possible. I would add that progress in this policy can only be achieved by successive stages.”

It is a question whether any reforms can be called substantial which fail to associate the people with the executive functions of the Government of India and to make that Government responsible to the people even to a limited degree. I realise that the rate of progress in introducing popular element into the Provincial Governments should be much more rapid than that with which we can set to reforming the Government of India. It will perhaps be too much to ask that identical reforms should simultaneously take place in the Provincial and Indian Governments. But I am sure that Indian opinion will remain discontented unless some limited control is given to the people over the Government of India. It is not difficult to formulate a scheme which will give this control to the elected members of the Legislative Assembly of India without lessening the responsibility of the Government to the British Parliament. But I am afraid that the terms of reference to the Committees do not admit of my making any suggestions on the point.

MEMORANDUM FOR THE COMMITTEE ON DIVISION OF FUNCTIONS.

At present the Government of India exercise a very full and constant control over the proceedings of the Provincial Governments. A well-known writer has pointed out that “there is nothing within the powers of a provincial government which the Government of India may not touch, and scarcely anything which it does not touch from time to time”. Whatever may have been the results of this system from the Provincial Government's point of view I do not think that public opinion has had any reason to be dissatisfied with it. So long as the people had no share in the government of a province it was better that its acts should be open to check and control by the Government of India. That afforded some guarantee against hasty action and the execution of ill-conceived measures. With a partly popular Provincial Government it is advisable to remove and relax the control. This control is exercised in financial, legislative and administrative spheres. The division is not complete since administrative questions may also have a financial aspect.

FINANCIAL CONTROL.

Except those departments the administration of which is entrusted by the Government of India to a Provincial Government the latter should be given the power to alter service grades, create new appointments up to a salary of Rs. 400 per mensem and entertain additional minor establishments without trenching upon such minimum balance as may be prescribed. It is suggested in paragraph 212 of the Report on Indian Constitutional Reforms that certain subjects of taxation should be scheduled as reserved for the provinces and the residuary powers should be retained in the hands of the Government of India. I would reverse the process. Considering that certain sources of revenue have not yet been tapped and that a Government supported by popular will will be able to deal with them more effectually, I would schedule only those subjects which should be reserved to the Government of India making it a condition that legislation to impose a tax falling within the schedule should not be introduced without the Government of India's previous sanction. In other cases the Bill should be forwarded to the Government of India which should have the power to withhold sanction for reasons to be stated and communicate the same within a fixed period say 50 days, to the Provincial Government concerned. If no reply is received within the period prescribed the Bill should be introduced and proceeded with in the Provincial legislature. This would also afford some protection against the dilatoriness of Delhi. Next comes the question of the borrowing powers of provincial Governments. Since irrigation, tramways and light and feeder railways are to be provincialised it is important to give to them greater freedom in the matter of raising loans. I find myself in general agreement with the proposals made in paragraph 211 of the report.

LEGISLATIVE CONTROL.

I would reserve to the Government of India the power to legislate on matters specified in section 79 of the Government of India Act of 1915 and would retain sub-sections 3 and 5 of that section as they might be useful on certain occasions. In my view public opinion would welcome a certain amount of control being given to provincial Governments over Railways. The public has little or no opportunities of influencing a Railway administration even in such small matters as the arranging of a time-table. Members drawing attention in a provincial Council to the exasperating shortcomings of Railways are often reminded that the question should be put in the Legislative Council of the Governor-General. Now it is not convenient to go to the Council to complain that on two or three nights in a week the Rohilkhand and Kumaun Railway trains ran on an important section almost without lights. Without going into all the acts passed by the Indian and the Provincial Councils one can not make any specific suggestions as to the matters or the directions in which the Government of India's control should be removed or relaxed. I may state it as a principle that an effort should

be made to keep that control within the narrowest limits. With respect to the illustrative list I showing provincial subjects in Appendix II to the Report I state below the points where I do not find myself in agreement with it.

TAXATION FOR PROVINCIAL PURPOSES.

I have already dealt with this matter.

Land revenue administration: Assessment of land revenue.

Whether land revenue is a reserved or transferred subject I would insist that as provided by section 62 of the Land Revenue Act (Local III of 1901) general principles for the guidance of the settlement officer in assessing the revenue should continue to be sanctioned by the Governor-General in Council. This would afford some protection to the landholders as against the provincial Government. On the other hand if the subject were to be included in the transferred list it would enable the Government of India to scrutinise the recommendations of the ministers amenable in a way to the legislative Council where for some time the landed class would, I fear, preponderate.

EDUCATION.

This should be wholly provincial. Where a University serves two provinces it should be placed in charge of the Government within the territorial limits of which it is situated. A separate university should be established for the other province as soon as possible. The provincial legislature should have power to amend the Indian Universities Act (of 1904) to suit its requirements. A case in point is the great need felt to raise the number of fellows of the university of Allahabad from 75 to 100. A resolution to that effect was passed several years ago by the United Provinces Legislative Council but the Government of India, for reasons best known to themselves, have taken no action yet.

GOVERNMENT PRESS—STATIONERY AND PRINTING.

I can not appreciate the reason for the retention of any control by the Government of India. This is a minor matter and a provincial Government can certainly make suitable arrangements for the supplies.

ADMINISTRATIVE CONTROL.

Some of the questions that may fall under this head have already been noted in the discussion of financial affairs. One of the weaknesses of public life in India is that most non-officials offering or invited to offer criticism or suggestions have had no opportunities of tackling administrative problems. The result or lack of experience of administrative work is that criticism is often uninformed. My suggestion, if I am not laying myself open to that charge, is that in the life of the first two Councils the Government of India should exercise the same degree of control in respect of matters committed to the charge of ministers as they would do in the case of those departments for the administration of which

the bureaucratic part of Government would be responsible. A more difficult situation would arise when the Governor did not find himself in agreement with the ministers on an important question. This will be noticed later.

TRANSFERRED SUBJECTS.

Before making suggestions as to what subjects should be transferred to the popular side of the provincial Government it is necessary to enquire into the nature and extent of control with which the report proposes that the Governor should be invested. It is not easy to reconcile one with the other the seemingly conflicting suggestions as regards the Governor's power contained in paragraph 219 of the report. Will he have the power to over-rule the unanimous judgment of his ministers in case of disagreement with them? If so, it is clear that the cabinet of ministers will degenerate into an advisory body at a heavy cost to the tax-payer. There may be a sympathetic Governor who, though armed with full powers, will not like to dictate to the cabinet but be willing to co-operate with them. The present Lieutenant-Governor of these Provinces sends all important financial questions to the Finance Committee whose advice he usually accepts. The institution of this reform by Sir Harcourt Butler is a valuable concession to public opinion. The Finance Committee has no right to be consulted on every important question, nor is the Lieutenant Governor bound to accept its advice. But this is an exceptional case. Constitutional reforms should provide for all contingencies. Whose opinion is to prevail in case of disagreement between the Governor and his Cabinet? If the Cabinet's decision is to be final I would be contented with transfer of subjects mentioned in the second illustrative list in the second appendix. But if this is not to be so, I do not see any justification for reserving any subjects except Police, Law and Justice with the possible addition of Land Revenue for the present. My reason for excluding the last named subject from the transferred list is that having regard to the large number of tenant-voters who will probably be under the influence of their landlords the landed interest will, I anticipate, be in the ascendant in the first two councils. Things will change as the tenants will learn the right use of their vote by experience. There is no other subject which can reasonably be withheld from the ministers if the Governor is not bound to accept their decisions. If they propose to embark on any unsound scheme the Governor can call a halt. In fact the larger the number of subjects in their charge the more valuable will be their training for the discharge of complete responsibility in years to come. And they can thus be trained in the transitional period without incurring risks. The words "substantial reforms" may mean either full responsibility for administering a few subjects or some responsibility for discharging all the functions of the provincial Government. They can not mean association with the Government in the discharge of some of its functions. Power and responsibility go hand in hand. It is unreasonable to hold the ministers responsible for the administration of any subjects, howsoever limited in number, unless they are given full control.

There is yet a third course which is midway between the two alternatives described above. It is suggested that in case of a serious difference of opinion between the Governor and the ministers the latter should be allowed to refer the case to the Government of India. Apart from other objections to it the suggestion is unworkable. My proposal is that the Governor may not overrule the unanimous decisions of his ministers except on the grounds on which the law at present gives the power to the Governors of presidencies to override the measures agreed to by the majority of their executive councils. To the grounds of intervention may be added matters which may raise religious or racial issues or seek the protection of the interest of existing services. I trust the proposal, if adopted, will reduce the chances of friction to a minimum. The consciousness that their extreme proposals will be liable to be negatived by the Governor will induce the ministers to proceed cautiously and avail themselves of his advice. The Governor will not usually refuse assent at discretion to all their measures because he will know that all such cases will come up before the periodic commission. If the proviso finds acceptance I would suggest that the following be added to the illustrative list II in the second appendix.

- (1) The appointment, conditions of service and control of provincial services relating to transferred subjects ;
- (2) Maintenance of Law and Order :—
 - (a) village chaukidars and headmen ;
 - (b) prisons ;
 - (c) dramatic performances and cinematographs ;
- (3) Land Revenue Administration :
 - (a) court of wards,
 - (b) land improvement and agricultural loan ;
- (4) Education :—
 - (a) unversities,
 - (b) technological institutes ;
 - (c) reformatories ;
- (5) Civil Justice :—
 - (a) management of private trusts,
 - (b) lunacy ;
- (6) Land acquisition :—
- (7) Industrial matters :—
 - (a) factories,
 - (b) dangerous and offensive trades,
 - (c) inland steam vessels and steam boilers,
 - (d) industrial development generally (not only local industries);
- (8) Government Press :—Stationery and Printing ;
- (9) Inter-provincial emigration and immigration.

Note on the Division of Functions by S. Nazir Hasan.

As regards the division of subjects I adhere to the views expressed in the resolutions passed at the Special Sessions of the Indian National Congress and the All India Muslim League in August last at Bombay.

I beg to add in the end that the views expressed in this Memorandum are liable to be changed if I think it proper to do so at the time of my giving evidence.

Additional note on the Division of Subjects

by

S. Nazir Hasan,

In the previous notes as regards the division of subjects the resolution passed at the Special Sessions of the All India Muslim League has been supported. But as an alternative proposal the scheme of the Government of United Provinces is agreed to.

Agra Province Zamindars' Association, Allahabad.

REPRESENTATIONS ON THE INDIAN CONSTITUTIONAL REFORMS.

We, as landholders, are bound to say, the Scheme of Reforms submitted to the British Cabinet by His Excellency the Viceroy and Mr. Montagu is conceived in a well considered and liberal spirit. The principle on which the whole scheme is based is certainly conducive and calculated to prepare the people of India to attain complete self-Government by stages within a measurable time. Having regard to the fact, that the scheme is pregnant with immense possibilities, opening up nobler and higher prospects in future, we place on record our sense of extreme gratefulness to the authors of the scheme.

We cannot but feel, however, that the authors of the scheme have paid more attention to those who have been most vocal, and who have lost no opportunity of stating their views from day to day on every conceivable occasion—on the platform, or in the Press. We, the landholders of India following our old tradition of trust and confidence in the Government, and wishing to do nothing, that might tend to embarrass it in these anxious days of war confined ourselves to a mere representation and a statement of our claims to the Viceroy and the Secretary of State for India.

Neither we pressed our case with the same persistence, nor we adopted the same methods on the platform and in the Press, with the result, that our claims and legitimate demands have not received the same attention which they deserved. It seemed to us, that our silence has been interpreted to mean that there was no real demand or necessity for giving us effective separate representation with a view to safeguard our interest. We certainly feel that there is little in the Scheme of Reforms to enthuse over, and on the whole, so far as we the landholders are concerned, it is absolutely disappointing.

While we are thankful to His Excellency the Viceroy and the Right Hon'ble Mr. Montagu for having at least accepted the principle of separate representation to the great Landholders in those Provinces only, where they form a distinct class. (Report on Indian Constitutional Reforms, page 113 top-para. 232) we cannot but most emphatically say, that it certainly falls short of expectations and just claims by a long way. This is unfortunately the only indication in the whole Scheme of Reforms, as to how the interest of the landed community are to be safeguarded under the proposed scheme.

And, again, (page 113, para. 232) separate representation is to be granted only to the great Landholders forming a distinct class in a Province. We strongly take exception to this restrictive aspect of the provision. We are strongly of opinion that the principle of separate representation should be extended to the landed community in every Province, because its interest is distinct from those of other communities.

In every province, nay in every division and district there is the interest of zamindars, whether big or small, to be safeguarded. And it would be nothing but ruinous to recognize the necessity only, where the big landed magnates exist as a distinct class. Needless to say, the interest of zamindars are identical with those of the great landed magnates. There seems no logical reason for accepting the principle in the case of one, while rejecting it in the case of the other. The only guiding principle should be the desire to fully and effectively safeguard the interest of the Landholders, and this is what certainly should not be lost sight of, while determining the legitimate and well deserved claims of the landholders in India.

The history of England clearly tells us, that there has always been a stronger and higher conservative house, which invariably has exercised a wholesome and sobering influence on the lower popular body, when acting rashly or legislating in an irresponsible and calous manner.

The idea underlying this arrangement is too obvious to be dilated upon, that is to say the basic principle is to have a conservative element everywhere, which will exercise a sort of a check on the radical tendencies of the new provincial bodies, and India is particularly a place, where this principle should always remain in the foreground of the mind, while adjusting the claims of respective interests of the communities. We deem it necessary to set out here certain observations and reasons, which will make it perfectly clear, as to what helpless and unenviable position we will be reduced to, if the reform were allowed to stand in its present shape, without inserting provisions, which will fully safeguard the interests of the landed community.

The majority of the members of the Provincial Council will, in all probability be drawn from communities following different profession, namely law, trade &c &c. The taxes on professions being earmarked as Imperial Revenues, it follows that the members of Provincial Councils, in case of necessity, taking advantage of the unrepresented or the very inadequately represented state of condition of the landed community, can propose any fresh taxation, which will not in any way touch their pockets, but, which will immensely add to the already heavy burden of taxes borne by the zamindars.

It is too evident, that any fresh taxation or further burden, that is likely to be thrown on the people of the different provinces, will under the arrangements about the Imperial and Provincial heads of Revenue, invariably fall on the landed classes, and since they (the members of the Council) will control the finances and have power to increase the yearly budget and levy fresh taxes from time to time, with no limitation, they would naturally feel little compunction in continuing to add taxes after taxes to the detriment of the zamindars.

While trading classes and people belonging to different professions invariably make immense profits, with a tendency to be ever on the increase, we, the zamindars have limited fixed income, with little prospect of increasing our income as time goes on, especially when recurring settlements tell heavily on us. The matter does not end here. We, the zamindars have always to pay for any unforeseen public emergency, that might arise, namely, famine, floods &c. and other miscellaneous items. In addition to all this, we have to maintain our position and dignity, at an immense expenditure, out of all proportion to their actual income.

Besides, the reasons already set out, there are innumerable other cogent and convincing arguments, which could be advanced. However, we now proceed to offer a few suggestions, which, we venture to think, shall have to be accepted and incorporated in the scheme, if we are to play any useful part, as one of the most important section of His Majesty's subjects. The suggestions are, in no way exhaustive, and only some of the most important ones have been cited to indicate the line of action in the direction of Reforms:--

IMPERIAL GOVERNMENT.

1. At least, One seat in the Executive Council to be filled by a member of the landed community.
2. The Council of State to consist entirely of members from landed community.
3. In the Imperial Assembly at least 25 per cent. of the seats should be given to the members of the landowning classes.

PROVINCIAL GOVERNMENT.

1. One of the ministers or members of the Executive Council to be appointed from amongst landowning classes.
2. There should be a Second Chamber in the province also, analogous to the all-India Council of State.

3. In the Legislative Assembly at least 25 per cent. of the seats should be filled up by the members of the landowning class.

N. B.—The proportion of the land revenue or the land tax, which the landowning class contribute to the total revenue, should be the basis on which the question of the numerical strength of their representation should be settled.

DEPARTMENTS OTHER THAN CIVIL.

1. Commission Banks to be liberally thrown open to the sons of the zamindars.

2. Zamindars paying land revenue of Rs. 10,000 a year be exempted from the operations of the Arms Act.

The above claims are the least we are entitled to as an important community, which has well been described by His Honour Sir Harcourt Butler (at a recruiting meeting) as the backbone of the province, and it will not be presumptuous on our part to say that the description applies with equal force to all the Provinces. His Honour has struck a sympathetic and right note in saying that no reform will be complete without adequate representation of the landholders.

A survey of the past and present history of the community will reveal its traditional and never failing loyalty, not to mention the immense sacrifices it has been ever ready to make for the sake of Government. We need hardly explain that true to our traditions we shall ever willingly make sacrifices in life, wealth and resources for the Government in all time to come. We strongly but respectfully urge that the above mentioned alterations may be carried out in the Scheme of Reforms with a view to satisfy the legitimate claims of the zamindars.

Recommendations of the Domiciled European and Anglo-Indian Federation in the United Provinces of Agra and Oudh, put forward at the request of the United Provinces Government.

The Representative Organizations of the Domiciled European and Anglo-Indian Community in the United Provinces, *viz.*, the Anglo-Indian Association, and the Provincial Branches of the Anglo-Indian Empire League, have carefully studied the Report on Indian Constitutional Reforms.

They desire to thank the United Provinces Government for the present opportunity afforded them of putting forward their views on the same, and so far as the Community is concerned they beg to state as follows:—

I. It is regretted that nowhere in the Report is provision made for adequately safeguarding or furthering the interests of the Domiciled European and Anglo-Indian Community, hence its representatives in the United Provinces respectfully beg to put forward the following whereby they consider that under Paragraphs (A) and (B) the interests of the Community will be furthered and under Paragraph (C) they will be adequately safeguarded.

II. *Education.*—It is deemed imperative that facilities be provided for the satisfactory carrying out of a progressive policy which will place members of the Community in at least as favourable a position as that of any other Community in India.

It cannot be denied that, so far as education is concerned, the facilities expressly for the Community in India leave much to be desired. Mainly on this account the Community views with alarm the suggestion that Education should be one of the Transferred subjects, and fears that it will be quite impossible for an Indian Minister to appreciate, at all adequately, the needs, or comprehendingly enter into the aspirations of the Community, which while in India is not of India but Western in its ideals, aims, and aspirations.

The Hon'ble Sir Sankarain Nair, Member for Education with the Government of India, was recently in Allahabad. While there he visited and inspected the Muir Central College, the Oxford and Cambridge Hostel, the Law Hostel, the Government Hostel, the Muhammadan Hostel, the Hindu Hostel, as also the Ewing Christian College and its Hostels for Indians, but the European Educational Institutions, and the Government Experimental Collegiate Hostel for members of the Domiciled Community in Allahabad he left severely alone. The latter ought to have been of particular interest to the Member for Education inasmuch as it is the first and only attempt of its kind in the whole of India and though conducted by the United Provinces Government ought to be of Imperial interest since students from all over India have been attracted to it. Sir Sankarain Nair, however, did not apparently consider it worthy of a visit.

This may be a small matter, but it is generally in just such small matters that men can rightly visualise danger, and surely if the Indian Member for Education can, under the present régime, so entirely consider Indian to the complete exclusion of Anglo-Indian Educational Institutions it is time that foreseeing men took thought for the future.

In any redistribution of functions therefore care must be taken to see that the interests of the Community, in the matter of education, are not prejudicially affected.

(A)

Primary and Secondary Education.—Inadequacy of assistance given by Government of European Schools makes necessary, save in cases of schools that happen to be endowed, a scale of fees that is often just beyond the means of the member of the Domiciled Community.

It is therefore necessary that further assistance be given so as to ensure that Primary and Secondary Education for members of the Community shall be the best possible either (a) by increased grants to schools in order that the scale of fees may be lowered, or (b) by special grants for the assistance of parents whose income makes payment of the full fees impossible by them.

Higher or University Education.—It is considered to be essential that any member of the Community who has creditably passed the Senior Cambridge Examination shall be able thereafter to secure an University education in a Western environment. It is deemed of the first importance that higher education for members of the Community be of a Western and not an Eastern type, hence the representatives of the Community pray that facilities be given for the early consummation of the scheme which has for its object the provision and endowment of an Anglo-Indian Tutorial Collegiate Hostel at Allahabad, with which the Government is already familiar, and further for the eventual extension of this Hostel so as to fully meet the needs of the Community with regard to Collegiate education.

Affiliation of Anglo-Indian Colleges with British Universities.—Finally it is considered that the time has now come when British Universities should be approached by the Provincial Government on the question of holding their higher examinations simultaneously in India and England so that Western education which the Community deems of so great importance and so ardently desires for its members may be attainable in India.

B

Employment—Public Services.—It is the considered opinion of the Community that subjects should be transferred only after the closest scrutiny and the most careful deliberation.

The only experience from which possible results can be deduced in that on Municipal Boards and the manner in which the Eastern element there has invariably had to depend on the Western does not tend to make the Community view with equanimity and general transference.

Indeed the failure of Local Self-Government, as evidenced on Municipal and District Boards, does not encourage the hope that Self-Government in a wider sense will be a success in the present stage of advancement which the country has attained and on this account the representatives of the Domiciled Community in the United Provinces urge that the suggested transition be most gradual.

Owing to lack of facilities for the attainment of higher education, where employment in the higher services is to be determined by competitive examination, the Community must for some time be under a heavy handicap hence it is requested that a certain proportion of appointments open to residents in the Provinces be awarded the Community for inter-communal competition.

It is a well-known fact that the Engineering, the Forest, the Survey, the Police, the Educational and other Departments have hitherto been to a large extent manned by members of the Domiciled Community, and it has moreover invariably been admitted that they have creditably acquitted themselves and fully held their own with other Communities, hence it is earnestly requested that provision be made for the continuance of admission of members of the Community into all these Departments.

In view of that special claim (*vide* Report, paragraph 346) which the Community has on the Government of India it is suggested that such earmarked appointments be equivalent to not less than 5 per cent with a minimum of one appointment annually.

It is further requested that provision be made for the direct appointment of members of the Community to the higher grades of the Police Service through the Police Training Schools, and also for the promotion of a certain number of deserving candidates from the Subordinate to the superior grades of the Police Service, and that this rule be applicable to all Imperial Services open to residents in India.

Extract from Report of the Anglo-Indian Empire League on proposed Indian
Constitutional Reforms.

Transferred Subjects.—The list of transferred subjects appear to My Council to provide ample scope to Ministers in the actual work of administration, but they would urge that right of re-entry be secured to the Government of India, or Provincial Governments, where such are administered detrimental to public interest.

The Budget.—My Council, while entirely agreeing with the proposal for the separation of Imperial and Provincial Heads of Revenues, consider that the drastic changes contemplated in the budget procedure should not be introduced until the new administration, involved as a result of these proposed reforms, proves its stability.

Periodic Commission.—While recognising that the work of creating and training Electorates capable of realising the weight of their responsibilities will not only be difficult but will also take considerable time, yet, My Council, consider that the establishment of a periodic commission every ten years to review the position resulting from Reforms introduced will be beneficial; and indeed, perhaps, prove a safeguard to the continuity of erratic administration.

NOTE for the Committee on the Division of Functions

*Submitted on behalf of the Provincial Congress Committee of the
United Provinces.*

1. The decision of the questions referred to in the 1st and 2nd clauses of paragraph 2 of the terms of reference, namely, (i) the functions which should be discharged by the Provincial Governments, and (ii) the powers of control which should be retained by the Government of India in relation to the Provincial subjects in order to secure the discharge of their own responsibilities, depends upon the larger question as to what extent, if any, the responsibilities of the Government of India will be shared between the executive government and the proposed Legislative Assembly and the Council of State. Informed public opinion in India is unanimous in asking that the principle of responsible government should be introduced into the Government of India at the same time as it is introduced in the provincial governments. At the special session of the Indian National Congress, which met at Bombay towards the end of August, it was urged that a system of reserved and transferred subjects, similar to that proposed for the provinces, should be adopted for the central government: and that the reserved subjects should be foreign affairs (excepting relations with the colonies and the dominions), relations with the Indian Ruling Princes, army, navy and matters directly affecting public peace and tranquillity and the defence of the country; and that all other subjects should be transferred subjects. The All India Moslem League passed a similar resolution. The committee of the non-official members of the Indian Legislative Council made a similar recommendation, and lastly the Moderates' Conference, which met at Bombay on the 1st. and 2nd. November, also urged that there should be "a division of functions in the central government into reserved and transferred, as a part of the present instalment of reforms." The committee of the non-official members of the Indian Legislative Council as well as the Moderates' Conference recommended further that the committee on the division of functions should be instructed to investigate the matter and make recommendations. Whether an investigation of this question has been specifically referred to this committee is not clear from the terms of reference. But it is obvious that the answers to the questions which have been set in clauses 1 and 2 of paragraph 2 of the reference will vary greatly according as the principle of responsible government is or is not to be introduced at present into the Government of India. Our Committee is of opinion that this principle should be introduced immediately into

the Government of India. It is also of opinion that full responsible government should be established in the provinces. We think that responsible government will have the best trial if all matters of provincial administration are transferred to the reformed provincial executive government acting under the control of the new provincial legislature. It follows that there should be no reserved subjects in the provinces.

2. Mr. Montagu and Lord Chelmsford have said in their report that they would not expect to find that departments primarily concerned with the maintenance of law and order were transferred, nor would they expect the transfer of matters which vitally affect the wellbeing of the masses who may not be adequately represented in the new councils, such, for example, as questions of land revenue and tenant rights. The subjects which come under the head of maintenance of law and order are enumerated under heading 5 in List 1 appendix 2 to the Report on Indian Constitutional Reforms. These are : (i) administration of criminal justice, including village courts; (ii) police, including railway police; (iii) prisons, (iv) criminal tribes; (v) working of particular Acts, *e. g.*, incitement to crime, seditious meetings, infanticide, press, arms, European vagrancy; (vi) poisons; (vii) gambling; (viii) dramatic performances and cinematographs; (ix) coroners. The report recommends that of these only (vii) and (ix), namely, gambling and coroners should be transferred subjects. As regards (i) the distinguished authors are of opinion that the powers of the Government of India to suspend or remit sentences and the power of the Viceroy to pardon should be maintained, that existing privileges of High Courts should be continued and that uniformity should be maintained as regards the Codes, Evidence Act &c. We submit that in the first instance the administration of criminal justice should be placed on a sound footing by a separation of judicial from executive functions, that is, by the administration of justice being entrusted to judges who have no revenue or other executive functions to discharge. In the second place we support the recommendation that the administration of criminal justice should be subject to the existing privileges of the High Court and it should be provided that appointments and promotions to and dismissals from judicial offices shall be made in accordance with the recommendations of the High Court. We think that subject to these reservations the administration of criminal justice should be a transferred subject. We see no reason to justify the apprehension that the reconstituted provincial executive government, acting under the control of the public opinion of the province as represented by its chosen men in the Council, will not discharge its part of the functions in relation to the administration of criminal justice with at least as much regard to public interest as the present executive government does or as

the proposed executive government is expected to do. It is the people who are most deeply interested in the satisfactory administration of criminal justice and it is reasonable to expect that whatever influence their representatives will be able to exercise under the new constitution will be exercised in favour of a more satisfactory administration of justice.

3. As regards the police, while we recognise all the good that has resulted from the police administration we cannot shut our eyes to the fact that notwithstanding all the efforts made by the government to improve it, this administration is still far from being satisfactory. Perhaps no part of the administration comes more directly home to the people than the police nor is there any in the efficiency of which the people are more closely concerned. Informed public opinion has long urged the reform of the police. It is a matter of satisfaction that a good deal has been done in response to that opinion but the police is still far from being either efficient or sufficient. It is our conviction that it can be made both efficient and sufficient, without becoming unnecessarily expensive, only if the administration of the police is transferred to Indian ministers responsible to the legislature. No executive government, whatever its composition, can be more deeply interested in the maintenance of law and order among a people than the representatives of that people. Besides, the services of the police are necessary in so many matters connected with different departments of government that we apprehend that unless the police is made one of the transferred subjects and its control is placed in the hands of ministers chosen from among the elected members of the Council, there may not be the necessary measure of sympathy and co-operation between the heads of departments dealing with other transferred subjects and the head of the police department. This want of sympathy and co-operation will be a serious impediment to the smooth working of the new government machinery. For these and other reasons we are strongly of opinion that the administration of the police should be one of the transferred subjects.

4. The transfer of the remaining departments under the head of maintenance of law and order should naturally follow. It is particularly desirable that the administration of prisons should be one of the transferred subjects.

5. The land revenue administration also should in our opinion be a transferred subject. We gratefully acknowledge that many measures of reform relating to land have been carried out by the Government in different parts of the country, but there is still pressing need for improvement in the land revenue administration and particularly so in the matter of the rights of tenants. The need for legislation to ameliorate their

condition has been recognised for a long time but legislation has not been undertaken. We believe that a representative assembly of the people, which it may be reasonably expected will include a large number of men of light and leading in the province, will be best fitted to deal with questions relating to land revenue and tenants' rights. The reason assigned by the authors of the proposals for Reform for making land revenue administration a reserved subject is that the masses whose well-being it vitally affects may not be adequately represented in the new Council. We submit that this is a reason not for making land revenue a reserved subject but for making the franchise so broad that it will include a sufficiently large number of tenants among the electorate. It is also a reason for making the Council large enough to render it reasonably probable that a sufficient number of the representatives of the tenants will find their way into the Council. We have kept these considerations in view in framing our proposals for the extent of the franchise as well as the size of the new Council. We have there pointed out that a tahsil or groups of tahsils, which are well established units of revenue administration, should be taken as the basis of an electoral area. As it is intended that agriculture should be a transferred subject, this is a further reason why the land revenue administration which is closely connected with it should also be transferred.

6. The special session of the Indian National Congress held at Bombay in August last passed the following resolution relating to the provincial legislature :

“ While holding that the people are ripe for the introduction of full provincial autonomy the Congress is yet prepared with a view to facilitating the passage of the Reforms, to leave the departments of law, police and justice (prisons excepted) in the hands of the executive government in all provinces for a period of six years. Executive and judicial departments must be separated at once.”

It must be remembered that this resolution was passed at a time of storm and stress when it was impossible to foresee that the happy termination of the war and the final triumph of the principles of liberty and democracy was so near at hand. Conditions have now so entirely changed that we feel ourselves justified in putting our case on its true merits unhampered by any real or imaginary complications due to the continuance of the war.

7. In concluding their Report on Indian Constitutional Reforms, Mr. Montagu and Lord Chelmsford said: “ If anything could enhance the sense of responsibility under which our recommendations are made in a matter fraught with consequences so immense, it would be the knowledge that even as we bring our report to an end far greater issues still hang in the

balance upon the battlefields of France. It is there and not in Delhi or Whitehall that the ultimate decision of India's future will be taken." Happily for India and the rest of the civilised world that decision has now been taken. It was announced in a memorable utterance by the Premier when, addressing the people of Great Britain, he said : " You are entitled to rejoice, people of Britain, that the Allies, Dominions and India have won a glorious victory. It is the most wonderful victory for liberty in the history of the world. This victory has vindicated the right of all nations, small as well as great, to guide and control their own destinies. It has established that in future every nation shall be governed, at least in its internal affairs, by its own will, and not by any arbitrary and autocratic power. We submit that proposals for a reconstruction of the Government of India and the Provincial Governments must now be so shaped as to harmonise with these principles. We have set out in the foregoing paragraphs the most important changes which in the opinion of our committee should be introduced in the constitution in order to make it conform to those principles with due regard to all the circumstances.

8. We do not propose to deal in detail with the other subjects which are mentioned in List 1 but excluded from List 2 as the circumstances which have influenced the distinguished authors of the report in excluding the maintenance of law and order from List 2 do not in the main apply to the other subjects similarly excluded. These latter should in any event be transferred.

They are all subjects of domestic administration and our committee are of opinion that the government will become more efficient and more economical if ministers appointed from the elected representatives of the people will be made responsible for their administration. This observation applies with special force to college education and universities, reformatories and industrial schools, irrigation (both major and minor), industries, business concerns and banking, which should be left to the representatives of the people themselves to foster and develop. As regards the administration of civil justice, it will be carried on as now under the superintendence of the highest courts in the provinces, and we are unable to see why such powers as are now exercised by the executive government should not be transferred to a minister in charge of the department. Judicial appointments, promotions and dismissals will continue to be made as heretofore on the recommendation of the High Court or the Court of the Judicial Commissioner. The authors of the proposals have recommended, subject to existing privileges, that appointments, conditions of service, and control of all provincial services should be reserved. We submit that, subject to the said reservation, the control of all provincial services should be transferred. We have already dealt with the administration of prisons and

(6)

pointed out that its transfer to the representatives of the people is highly desirable. Forests and forest products should also be wholly transferred and not merely those unclassified and some protected.

Lastly, we would urge in this connection that the salaries of the ministers should from the first be placed on the estimates and that they should hold their offices only so long as they retain their seats in the Council.

SUMMARY AND NOTE OF EVIDENCE REGARDING PROVINCIAL AND TRANSFERRED SUBJECTS PROPOSED TO BE GIVEN BY Mr. H. STANLEY JEVONS, UNIVERSITY PROFESSOR OF ECONOMICS IN THE UNIVERSITY OF ALLAHABAD.

SECTION I.—PRINCIPLES WHICH SHOULD GOVERN THE CHOICE OF PROVINCIAL SUBJECTS.

The most suitable subjects to become Provincial are those which are—

- (1) affected by diversity of geographical conditions, e.g., land tenure;
- (2) those in which the co-operation of private and governmental agencies will be most fruitful, e.g., sanitation and public health;
- (3) those services which are local in their application and largely so in their effect, e.g., education, encouragement of agriculture, and industries (but not control of industries).

On the other hand, subjects should be regarded as Imperial if they are—

- (1) of a nature in which there is great advantage in uniformity throughout the whole country, e.g., marriage laws, regulation of industries, all commercial law, and currency;
- (2) any services which are ubiquitous, e.g., Post Office, Telegraphs, and Railways;
- (3) any service in which officers with highly specialized training are required, e.g., geological and hydro-electrical surveys.

SECTION II.—CRITICISM OF TABLE OF PROPOSED PROVINCIAL SUBJECTS.
(See Appendix II of Reforms Report.)

2. *Borrowing on sole credit of Provincial Revenues.*—I think this should be permitted, both for the carrying out of public works and for the provision of buildings of public utility, such as hospitals, technical colleges, etc.

9. *Fisheries and River Conservancy.*—As these are matters which will generally affect more than one Province they should be under the control of an Imperial Department. There should, for example, be Conservancy Commissioners of the river Ganges responsible directly to the Government of India and Fishery Commissioners of the Western Coast, the Eastern Coast, and of the Burma Coast respectively.

10. *Public Works.*—I agree with this, excepting as regards the provision of feeder railways on the same gauge as the main line, which should, in my opinion, be projected, financed and constructed by the main line concerned, be under the control of the Railway Board of the Government of India.

11. *Education.*—The only exception I have to make is as regards Universities. In my own view, the present system of federal Universities covering a large area is out of date in India as it has long been in England; yet I do not think that Universities should be a Provincial subject because of the very high specialized character of the Legislation required to establish new Universities and of the administrative control and direction needed. When saying that Universities should be an Imperial subject, it is not because I want uniformity: rather the reverse. Each University should have its own Charter obtained either by Ordinance of the Government of India or by a kind of private Act of the Imperial Legislative Council, such Acts being prepared with the advice of a Director of Universities who would confer with the

local representatives as regards the particular constitution of each University, but whose business should be rather like that of a Registrar of Joint Stock Companies to give legal constitution to a body so constituted and with such powers as the local interests concerned, including the Provincial Government, may desire. This question may be affected by the Report of the Calcutta University Commission.

19. *Industrial matters.*—I regard it as being of the highest importance that legislation in regard to factories, the industrial employment of children, dangerous and offensive trades, boilers etc., should be Imperial, and that the administration, if allowed to be Provincial, should be subject to close Imperial supervision so as to secure absolute uniformity of conditions in all Provinces; otherwise there will be unfair competition through leniency in the legislation or in the application of the law in certain Provinces. Such leniency would be difficult to overcome because of its acting as an attraction to the establishment of industries which some Provinces are very anxious to get; also, vested interests may in this way arise.

The registration of Labour and provision of Labour Exchanges should, in my opinion, be Imperial, though Provinces should not be prevented from making the experiment before an Imperial system is devised.

The same applies to Provident Fund, Industrial Health Insurance, Friendly Societies and Accident Insurance.

Apprenticeships might very well be a subject of Provincial concern as it is really an educational matter.

The control of Electricity, Petroleum, Explosives, Munitions, and the Geological Survey should be entirely Imperial, although Provinces should not be prevented from having their own Geological Surveys, in addition to the Imperial Survey, if they so desire.

21. *Banks, Insurance and other Companies.*—I think it is desirable that administration as well as legislation should remain with the Government of India so as to secure uniformity.

23. *Statistics.*—Registration of births, deaths and marriages should be on uniform lines throughout India and the Provinces should act in this matter solely as agents of the Government of India. The general collation of Statistics must be subject to the Director of Statistics for India; but nothing need prevent the Provinces making their own collections of statistics for their own special purposes.

24. *Inter-provincial migration.*—The Government of India must clearly retain control in its hands whilst leaving initiative to the Provinces.

The control of Medical Colleges and the qualifying examinations for medical practitioners should be an Imperial subject as the maintenance of a uniformly high standard is of the very greatest importance. I think that the Medical Service also should be Imperial both for superior and subordinate officers.

SECTION III.—PRINCIPLES WHICH SHOULD GOVERN THE CHOICE OF TRANSFERRED SUBJECTS.

The subjects most suitable to be transferred to the charge of Ministers responsible to an elective assembly are—

- (1) those which are concerned with services like Sanitation and Education which at present affect chiefly town populations; because it will be in the towns alone that real popular control can be expected to develop during the next 20 years;
- (2) subjects which are of a non-technical character so that the nature of the service and the training of its officers can be readily comprehended by the ordinary citizen;
- (3) subjects which do not involve the outlay of large capital sums or the working of costly plant like irrigation canals, the mishandling of which might entail enormous financial loss.

SECTION IV.

The criticisms of the illustrative list showing Transferred subjects which I propose to offer are as follows :—

5. The control of Medical Colleges and qualifications should, in my opinion, be of the same status as that of Universities and should not be included in the Transferred subjects.

10. *Public Works.*—I think Irrigation (major) is rightly excluded from the Transferred subjects both on account of the costliness of the works, the technicality of the management and its remoteness from town interests. I think it important that minor Irrigation works should always be considered in relation to actual or possible major works; and the important questions of drainage schemes must also have a close relation to major irrigation works. Consequently, I think that the whole of minor irrigation and drainage should be excluded from the Transferred subjects.

The question of embankments relates, I presume, mainly to the control of the great rivers. This question should come under the Boards of River Conservancy Commissioners so that it will be an Imperial subject and should not be included in the list of Transferred subjects.

H. STANLEY JEVONS.

The 24th November, 1913.

Professor Jevons.

Supplementary Note by Professor Jevons on Provincial Borrowing.

Having been kindly shown the printed evidence submitted by the Local Government and finding that they have acquiesced in the view that the Provincial Governments should not in ordinary circumstances be permitted to borrow in the open market, I desire to state clearly the reasons why such borrowing by Provincial Governments appears to me to be absolutely essential and also practicable.

Provincial borrowing in the open market is essential because there cannot be any real freedom in economic development or education enjoyed by Provincial Governments, unless they are permitted to exercise their own judgment as to ways and means of raising funds for capital (*i.e.*, non-recurring) expenditure. It is difficult to see how the provincial Governments can accumulate balances out of surplus revenue; and if they could such surpluses would be wholly inadequate for their requirements. The Government of India can only borrow a limited amount annually on the low rate of interest which it will rightly pay in peace time. Hence if provincial Governments can only borrow from the Government of India there must continue to be a detailed enquiry by the Government of India into Provincial projects so as to assess the relative urgency of the demands of different Provinces. The result will be a continuance of the present stagnation.

The objection raised to provincial borrowing appears to be based on a misapprehension of the nature of the money markets. Is there any other large country in the world where public borrowing is restricted to the Central Government? If the theory of competition of local loans with loans of Government of India were true, why did the British Government allow the Metropolitan Water Board to borrow many millions sterling and not finance it by the issue of Consols?

The fact is that different classes of public loans appeal very largely to different classes of investors. The local Government would issue its loan at one-half or one per cent. higher rate of interest than the Government of India. It would state the purpose of the loan, whether for irrigation works, college or school buildings, etc. This would arouse local interest, and the loan would be widely advertised in the province. The party of progress who wanted the works carried out would bring pressure to bear on wealthy persons to lead off the subscriptions. Much money which would otherwise lie idle would thus be attracted to the use of the Local Government.

As regards competition with the Government of India loans, there would of course be some small effect, but the *net amount available* for the purposes of the Government of India might very likely be increased: I can explain this by an example:—

I. Assume Government of India alone borrow:—

The amount raised in one year might be 20 crores. Of this, there would be allotted, say,

	Crores.
To railways	10
Other Government of India purposes	2
Available for distribution amongst provinces	8

II. Assume both Government of India and all Local Governments borrow at different times, the probable result would be as follows:—

	Crores.
Government of India loan	14
Bengal	4
Bombay	3
Madras	1½
United Provinces	1½
Punjab	1½
All other Provinces together	2½
Total	28

This represents a gain of 8 crores in the loan money available in any year, and an additional 8 crores are obtained by paying from $\frac{1}{2}$ to 1 per cent. more on 14 crores. This example would be true after, say, two or three years of the new system.

It is to be remembered that a competition of borrowers excites and interests lenders, because the advertising is more thoroughly done, for one thing, and because it is natural for variety of offers to excite interest. The Government of India would, however, need a "close time" of not exceeding two months during which its own loan should be open for subscription.

(Sd.) H. STANLY JEVONS,

29th November 1918.

Rampal Singh.

A memorandum on the question of transfer of subjects to popular control.

1. The desirability of the transfer of whole Provincial Administration to the popular control cannot be too strongly urged but steps in that direction should be taken gradually. In order to bring about and facilitate the early consummation of that state of things I may sound a note of caution. At the early stage when the responsible Government will be on trial the exercise of caution in the transfer of subjects is only wise and necessary. Fewer the subjects transferred greater will be the certainty for success on which depends the further advancement. And on the other hand larger the number of subjects so transferred greater is the risk of failure not only of the administration of those subjects but also of the whole scheme and with it the expectations and ambitions of the people.

2. To avoid friction and to give free scope to the exercise of discretion it seems to me to be necessary that the subjects that may be transferred to such control should be transferred in all their branches so that the minister may be able to co-ordinate, adjust and control them with due regard to the relationship that exists or ought to exist between those branches.

3. I therefore hold that education in all its branches should be transferred.

4. On the same principle which I have ventured to lay down in paragraph 2 I feel unable to agree with the opinion of the local Government that Provincial services employed on transferred services may be put under popular control. As long as there is a distinction maintained between the Imperial services employed in Provinces and Provincial Services no such transfer ought to be made.

5. Subject to the observation made in paragraph 3 I agree with the scheme of Local Government as regards the transfer of subjects.

THE HON'BLE RAJA SIE RAMPAL SINGH, K.C.I.E.,

OF KURRI SUDAULL,

DISTRICT RAJ-BARELL.

(Sd.) RAMPAL SINGH.

Dated 25th November 1918.

Sir Verney Lovett.

Note by Sir Verney Lovett (United Provinces added Member) on the proposal to make Secondary and University education transferred subjects.

1. I accept the view of the Local Government that secondary education cannot be divorced from University education. I think that where the system of secondary education is inferior and ill-developed, university education in the true sense of the word is impossible. Colleges cannot do the work of schools as well as their own work. As I have seen it put :—

“The authority which controls the secondary schools controls indirectly, but none the less effectively the universities. Between the schools and the university there is undoubtedly action and reaction; and if circumstances are favourable the university can do much to promote the development on sound lines of secondary education. But where public opinion and the authorities in charge of secondary education are hostile, the university is helpless. It cannot set up a standard of its own, and impose that standard on the schools against their will, and that of the persons who administer them, and in the face of a hostile public opinion. No university has ever achieved or even attempted to pursue a policy of this kind. In India at the present moment it is difficult enough for the universities to maintain their standards, against the pressure of public opinion, and the task would be impossible were it not for the support of the Government which controls the secondary schools. If secondary education is to be transferred, it will serve no purpose and merely promote friction, to reserve university education.”

2. The success of the reforms scheme and the political and economic progress of India are mainly dependent on the policy pursued in regard to secondary and university education. It is on these particular subjects that all who put true progress before examination degrees and government posts, would be well advised to desire their government to concentrate its least biased and most considered attention. If therefore there is one subject that should be reserved, it is in my opinion, English education.

In paragraph 26 of the Public Service Commission Report Messrs. Fisher and Ramsay MacDonald rightly emphasises India's need for educational administrators of the highest capacity. The urgency of this need is now greater than ever, for it is from the secondary schools and the universities that the men will be drawn who will fill the future legislatures, the public services, and the local bodies. It is also from the secondary schools that the leaders of future industrial development are to come. At present, in these provinces, the standard of general higher education is decidedly low : *politically and industrially* its improvement is probably the most vital problem with which the administration is faced. *Even in England*, the home of individualism, the importance of a sound system of national education is at last realized; and it is certain that in future no effort will be spared to make up the leeway of the past. In this country, unfortunately, the influence of a shortsighted public opinion tends the other way. In the legislature, and in the press, demands are frequently made for measures which would certainly involve the lowering of the existing standard such as it is. In part these demands are inspired by distrust of the motives of the Government, which is suspected of desiring to restrict educational facilities; in part by a not *unnatural sympathy* with struggling parents (in the dearth of industrial and commercial openings the university is almost the only avenue open to boys on leaving the high schools), and in part by a persistent preference of the short aim to the long. The fact, however, remains that such is one side of the popular attitude towards higher education; and there are at

present no indications that this side is likely to alter for the better *in the near future*. If past experience is any guide, the course of educational policy under popular control is likely to be steadily downwards for a period of time, the length of which cannot be foreseen. This has already happened in Bengal where official control of Western education was years ago allowed largely to lapse, and the results are apparent from certain chapters in the Bengal District Administration Report, and the Rowlatt Committee's report.

3. Western education of the true and genuine kind, education of the kind imparted in English public schools which persistently inculcates discipline and thoroughness, is surely the thing most needed for the success of far-reaching political reforms which are based on and designed to propagate Western political ideas in an Eastern country of enormous extent of many creeds, languages and races, of highly conservative ideas. It is the subject *the* direction of which as a true well wisher of coming reforms, I would be least willing to entrust to any but the most practised hands available. The pioneers of Western education in India were British, and my own experience leads me to be certain that Western education has most chance of success when its direction lies in Western, that is, British hands.

4. Paragraph 323 of the Report states that at least so long as the Empire is charged with the defence of India a substantial element of Englishmen must remain and *must be secured* both in her Government and public services. The Empire will be charged with the defence of India until India has not only an army or, with her enormous seaboard, a navy of her own. It is my opinion that no conceivable reasons exist for excluding the educational from the other public services in this connection. On the contrary I consider that both for the good of India, for the good of her connection with Britain, in the interest of her economic advance, for the success of the Montagu-Chelmsford scheme, the main direction of western education in the Provinces, including these Provinces should, for some time, at any rate, rest in British hands. Not only is it thus more likely to produce the best results, but we all know that it is in the impressionable period of youth that ideas are formed which influence the whole after-life. That British influence in shaping those ideas should tend to become a negligible factor is scarcely a desirable contingency.

5. Should, however, University and secondary education be transferred to the charge of a 'Minister' chosen from popular leaders and peculiarly subject to popular pressure through an elected advisory standing committee, not only, if my impressions are correct, would western educational standards tend to fall, but the European element in the Educational service would tend to diminish rapidly. This is, I think, apparent from evidence which has been given us on the part of the Provincial Congress Committee. Moreover, I am strongly of opinion that English educationists of good equality will not join a service where English educational ideals are likely to become a gradually vanishing quantity under minister "whose wishes the Governor is expected to meet to the fullest possible extent in cases where he realises that they have the support of popular opinion" (paragraph 219). You cannot have it both ways. If you make a transferred subject of higher English education you must resign yourself to the attenuation of the English element in your Department of Public Instruction, of English educational ideals, and of English educational enterprise in India. I do not think that this feature in the future would advance India on the paths of healthy responsible Government loyal to the British connection and of the kind desired by the authors of the Montagu-Chelmsford scheme.

6. I hold then that Western education should be a reserved subject. It is evident from the note which we have received from the Calcutta University Committee that they are about to propose far-reaching changes in the present system of English school and college education. These will be considered by the Governments of Provinces other than Bengal. If accepted, they will take some years to carry out. It can hardly be desirable that decision on such weighty matters should rest with any but the highest and most experienced members of the Provincial Government, one of whom, be it remembered, will be henceforward an Indian, and all of whom will be assisted by standing committees of an Indian Legislature.

7. It is provisionally considered by the Punjab Government that Western education can be transferred tentatively for five or ten years with a reasonable prospect of a retransfer if the measure proves injurious to progress. I have had 34 years' experience of Indian administration, and I am so sure that such a retransfer, which would be most galling to educated Indian self-esteem and would certainly tend materially to defer Indian political advancement, would result in a loud, widespread and persistent agitation, that I am convinced that the anticipation of trouble of this kind would be a most potent factor with the Governments of the time both Provincial and Imperial, and would perhaps prevent any retransfer however, desirable it might in fact be. Moreover if such a change were carried out, it would come too late to remedy the evils that would already have been done to the victims of deteriorating education. Years would have been lost in political progress.

In conclusion, I would say that it is my desire for the prosperous and harmonious political advancement of my own provinces and of India that has led me to elaborate my views on this subject.

Agha Haider.
Ibn-i-Ahmad.

The United Provinces Moslim Defence Association.

MEMORANDUM—PART 2.

We are in general accord with most of the suggestions regarding the division of functions contained in the Report on Indian Constitutional Reforms which has undoubtedly been thought out and prepared in a statesmanlike and sympathetic spirit, having regard to the momentous and intricate problems with which the framers of the report has been confronted.

We suggest that matters which are of absolutely provincial concern should be left to the Provincial Government, while matters which deal with All-India problems should be within the sphere of the Central Government. It is not easy to describe what matters are purely of provincial nature, but the list given in Appendix 2, pages 173—175 of the Report is fairly exhaustive. In these matters the Government of India should not interfere except in rare cases adverted to in paragraph 240 of the Report. In this paragraph there is a reference to "foreign trade or tariff". Reading this reference along with the head of "Development of Arts and Crafts and local Industries" in the Illustrative lists, we cannot help observing that such development is impossible whether under the fostering care of the Indian Government or the Provincial Government so long as India—to put it frankly—exists only for the benefit of Manchester and Glasgow and other Industrial centres of Great Britain. Indian industries can only thrive and prosper if heavy duties are imposed upon all foreign imports which compete with indigenous industries. This was the effective method with the German statesmen successfully adopted in order to improve their agriculture when faced with ruinous foreign competition.

We read in the Illustrative list 1 under the head of "Civil Justice administration, including Village Courts, Legal Practitioners and Law Reports, etc." We trust that Legal Practitioners are not going to be placed under the control of Provincial Governments. The various High Courts are their natural controlling and supervising authorities and they should not owe allegiance to any other power.

Village Courts should be under the direct control of the District Courts and ultimately of the High Courts.

Education—Primary, Secondary and Collegiate—should be included in the Illustrative list 2. This would be a bold experiment, but it is well worth trying. The consequence may be far-reaching and will have a direct bearing on the future political progress of India.

The powers which should be exercised by the Governor-in-Council in relation to transferred subjects indicated in paragraphs 240 and 260 of the Report are drastic enough, but we beg to suggest that the emoluments and the status of the Minister should not be inferior to those of the Members of the Executive Council. His position should be one of great dignity and he should be given every reasonable chance. Neither the Governor nor the Executive Council should assume the role of the School Master so far as the Minister is concerned.

SYED AGHA HAIDAR,

Barrister-at-Law,

M.A., (Allahabad),

M.A.L.L.B., (Cantab),

Member of the Council of the

Association,

ALLAHABAD.

IBN-I-AHMAD,

Barrister-at-Law,

Honorary Secretary,

United Provinces Muslim Defence

Association,

4, Stanley Road, ALLAHABAD,

6th November 1918.

**Memorandum of the Upper India Chamber of Commerce on
the division of functions.**

THE CHIEF SECRETARY TO GOVERNMENT,
UNITED PROVINCES, ALLAHABAD.

Dated Cawnpore, the 14th November 1918.

SIR,

Responding to the invitation conveyed in your telegram of the 17th October, the Committee of the Upper India Chamber of Commerce desire to state for the consideration of the Committee on the division of functions appointed in connection with the Report on Indian Constitutional Reforms, their views as to the apportionment of functions:—

- (A) as between the Government of India and Provincial Governments;
- (B) by Provincial Governments as between the Executive Council and Ministers.

A.—My Committee feel that they can on the whole approve of the list of subjects which the authors, in their illustrative list I of appendix II to the Report, recommend should be entrusted to Provincial Governments.

There are however two subjects which in the Report it is intended should be entirely made over to Provincial Governments, but in regard to which my Committee strongly recommend that administrative powers only should devolve to the Provincial Governments, the power of legislation remaining with the Government of India.

No. 16. *Excise*.—This Chamber and, it is understood, other Chambers of Commerce in India, strongly feel the need for uniform legislation for the whole of India to control the working of the Excise Department.

No. 19. *Industrial Matters*.—My Committee consider that with the exception of "Developments of arts and crafts and local industries"; the power of legislation for all industrial matters should be with the Government of India, in the same way as is provided for "Business Concerns" (No. 21).

The Factories Act is now an All-India Act and Electricity and other subjects under this head are governed by Imperial legislation, and my Committee consider that, in order to provide for uniformity Legislative powers should be reserved to the Government of India.

As regards the Steam Boilers Act it is merely necessary to refer to the fact that when the United Provinces Steam Boilers and Prime Movers Act was revised in 1913, the Select Committee of the United Provinces Legislative Council appointed to consider the revised Bill, favoured the introduction of a general Act for all India. Their recommendation was as follows:—

"The Committee considers that a uniform Act for the whole of India is preferable
"to a merely local Act-but at the same time it does not consider it desirable
"to defer the amendment of the existing law in these Provinces on the chance
"of a general Act being ultimately passed for India."

The views of this Chamber on the suggestion, which were then conveyed, remain the same today and may be quoted.

"The Committee (of the Chamber) express a universal desire when they emphasise
"the necessity for a uniform Bill to regulate the use and inspection of Boilers
"and Prime Movers attached thereto, which shall be applicable to the whole
"of India, and entirely supersede the various Provincial enactments now in
"force. These Provincial Acts are often at variance one with another, and the
"strongest possible case could be shown for their unification."

B.—In regard to the transfer of subjects to Ministers my Committee desire to offer the following recommendations :—

No. 4. *Education*.—Technical education which it is proposed to transfer, should be reserved, on the ground that it is closely allied to the subjects of industries and industrial schools which are already reserved. Such technical education as is connected with arts and crafts and cottage industries, and which can well pass under the Education Department, may be transferred, but all technical education relating to the major industries should be reserved. This Chamber has always supported the claim for technical education to be imparted under industrial conditions and control, and its consequent removal from the Education Department to the Department of Industries.

No. 5. *Medical and Sanitary*.—My Committee would prefer to see Sanitation reserved. This subject while satisfying one of the four canons laid down in paragraph 233 of the Report for the guidance of transfer, in that it is in great need of development, does not fill the other three. They realise, however, that to divorce it from the Medical Department would lead to complications.

No. 8. *Forests*.—In the opinion of my Committee Forests should be reserved.

The intention would seem to be to transfer only the unclassed and some protected forests, but this differentiation is inadvisable and my Committee strongly urge the entire reservation of all sections of the Forests Department. Forests development is only now beginning to tell. It has great prospects before it, it involves work of a highly technical nature and Indians have not shown any real interest in forest conservation. On the contrary it is most noticeable that the Government measures for the reservation and protection of forests are regarded by Indians with impatience and are objected to as being in opposition to the supposed rights of the people.

No. 10. *Public Works Minor Irrigation*.—It has been noted with satisfaction that major irrigation has been reserved. This is entirely as it should be, but the transfer of minor irrigation will almost certainly lead to complexity and confusion and my Committee accordingly recommend that this subject be also reserved.

My Committee consider that all subjects not mentioned in the transferred List II are, by implication, proposed to be reserved, and of this they approve subject to the criticism they have offered above, but in particular they desire to emphasise in the strongest manner possible the need for the reservation of the following in addition to those already mentioned in Section B of this letter :—

- List I, No. 5*.—Maintenance of Law and Order,
- No. 6*.—Land Revenue Administration,
- No. 11*.—College and University education, reformatories and industrial schools,
- No. 15*.—Civil Justice,
- No. 18*.—Land Acquisition,
- No. 19*.—All industrial matters (except those relating to Arts and Crafts and local industries), and
- No. 21*.—Business Concerns.

In conclusion I am to state that my Committee are unable to send any witnesses to the Committee on the division of functions.

I have the honour to be,

SIR,

Your most obedient servant,

J. N. RYAN,

Secretary.

Nabi Ullah.

**A brief memorandum of the points of Mr. Nabi Ullah's
evidence.**

DIVISION OF SUBJECTS.

As regards the division of subjects, I would place all the departments into the list of transferred subjects except law, order, police and land revenue.

Note on Excise administration in the United Provinces.

Income.—R150 lakhs (of which R100 from country spirit).

Expenditure.—R5 lakhs.

Establishment.—Excise Commissioner.

8 Assistant Excise Commissioners.

159 Excise Inspectors.

363 Peons.

Each Assistant Commissioner has a charge consisting (average) of six districts, and 20 inspectors.

Connection of the Excise and Revenue Departments.

Rule 13, Excise Manual lays down that the excise inspector is subordinate to the collector, but the Assistant Excise Commissioner is responsible for the direction and supervision of his work, subject to rule 29-A. Rule 29-A prescribes that "The Collector shall be consulted by the Assistant Commissioner on all important points and shall be kept informed by that officer of the general progress of administration. The appointment of Assistant Commissioners does not relieve the Collector of responsibility for the excise administration of his district." In practice the powers of the Collector are largely delegated to one of his assistants, known as the Excise Officer. Cases of friction between the Excise Officer and the Assistant Commissioner are not unknown, and are likely to increase under the new system *e.g.*, the Assistant Commissioner under rule 32 (4) prescribes in each month the inspectors' tour programme for the following month, but the Excise Officer may at any time give the inspector orders which may involve his departing from that programme.

In practice the Assistant Commissioner supervises the work of bonded warehouses and controls inspectors' tours and inspections of shops and villages. The collector settles and licenses shops, and collects excise revenue. Both supervise the detection and prosecution of excise crime.

Connection of the Excise and Police Department.

Their relations are defined in paragraphs 50-58 Excise Manual of which the following are the most important provisions:—

"Officers of the excise department shall co-operate with the police officers in the detection and prosecution of excise offences. The appointment of excise inspectors has not relieved the police of the duties of detection and prosecution of excise offences. Excise inspectors constitute an additional agency for the execution of these duties. In important or difficult cases, the assistance of the police should be asked for. In making searches the assistance of the police should usually be asked for. Any person arrested by an officer of the excise department should, if not released on bail, be made over for safe custody to the officer in charge of a police station as soon as possible." It is presumed that under the new system those rules will remain in force. On an average there are three excise inspectors 17 police stations and 40 police sub-inspectors in a district. It would be impossible for excise inspectors to undertake the whole duty of detection and investigation of excise crime. There is a tendency to friction between the two departments, and this tendency may increase if excise becomes a transferred subject, while police remains a reserved subject.

Chief duties of Excise Inspectors.

- (1) Inspection of shops;
- (2) Detection of smuggling;
- (3) Issue of spirit and hemp drugs from bonded warehouses.

*Country spirit.**Income derived from—*

- (1) Still head duty varying from 8 annas to R5-8-0 per L. P. Gallon, average in 1917-18—R3-14-4 per L. P. Gallon.
- (2) Licence fees realised by sale of shops by auction, etc., average in 1917-18—R2-0-11 per L. P. Gallon.

Total income R5-15-3 per L. P. Gallon.

Consumption in 1917-18—R14,60,000 L. P. Gallons.

Systems.	Square miles.	Population.
Distillery	92,000	45 millions.
Outstills	14,000	2 "
Total	1,08,000	47 "

No district is completely under outstill system. Distillery area is divided into (a) contract—39 districts (b) non-contract—nine districts. In April 1921 all districts will be under contract system.

Contract system.

The exclusive privilege of supplying country spirit at a fixed price to one or more districts is granted for a certain period (usually three years) to a firm of distillers. The contractors must supply spirit at the prescribed bonded warehouses in the contract area. Tenders are asked for at the rates at which spirit will be supplied. The contract is not necessarily given to the tenderer of the lowest rate. The contractor is bound to sell spirit as required to all retail vendors in his contract area at the prescribed strengths. Contracts are taken by private distillery companies of which there are five in the United Provinces. The Nowgong distillery (Central India) holds the contract of the four districts of the Jhansi division.

Non-contract system.

The distillery building is provided by Government. A number of distillers set up stills in it, and make their own arrangements, subject to payment of duty, for supplying retail vendors. The distillers usually own, or control, one or more retail shops.

Retail shops under both systems.

The number is fixed by the Collector within the maximum and minimum limits prescribed by the Board of Revenue, and subject to the approval of the Excise Commissioner. The location is fixed by the Collector. On both subjects in municipalities non-official advisory Committees are consulted. In 1917-18, there were in the United Provinces one shop for 11,000 persons, in municipalities one shop for 12,000 persons.

Foreign liquor.

Includes:—

- (a) imported foreign spirit and beer;
- (b) locally made spirit sophisticated to resemble whisky, brandy, rum and gin;
- (c) locally made beer.

In 1917-18 issues of locally made foreign spirit were :—

	<i>L. P. Gallons.</i>
(a) Rum duty free to Commissariat	43,000
(b) Rum at reduced duty to regiments	42,000
(c) At full duty	37,000
Total	122,000

i.e., more than three-fourths of the issues of such spirit were rum for troops.

Bear.—is made at three breweries in the hills—Naini Tal, Ranikhet and Chakrata. It is also imported from the Punjab. Sales under wholesale licenses in 1917-18 were 5,66,000 gallons. I believe at least three-fourths of this was supplied to troops. No definite figures available.

Income from foreign liquor in 1917-18 was R7 lakhs.

Tari.

Right of tapping trees and selling at fixed shops in a given area is sold by auction, in some districts by single shops. Income—R3½ lakhs.

Hemp drugs.

Income.—Duty R13½ lakhs, License fees—R15½ lakhs, total R28½ lakhs.

Prevailing rates of duty.—*Charas* R18 per seer; *Ganja* R16 per seer; *Bhang* R6 per maund.

Charas comes from Central Asia through the Punjab.

Ganja comes from Bengal and Central Provinces.

Bhang comes from the submountain districts of the United Provinces. *Charas* and *Ganja* are stored in bonded warehouses at eight places, and issued to contractors on payment of duty. *Bhang* is transported from the 12 districts where it is grown, on payment of transport duty.

Contracts of whole or parts of districts are put up to auction. Sale of all three drugs is made at shops, number and location of which is fixed as for country spirit. In 1917-18 there was one shop for 14,000 persons.

Opium.

Income in 1917-18.—Duty R8½, license fees R5½, total R13½ lakhs.

Duty.—Issue price at Treasuries minus cost price credited to opium department. Cost price R13. Issue price R30 (40 districts) and R32-8-0 (8 districts).

Retail sale is made at shops which are sold by auction. Vendors can obtain opium only at Government Treasuries on payment of issue price. In 1917-18 there was one shop for 44,000 persons.

A. B. Pant.

**Memorandum for the consideration of the Committee on
Division of Functions.**

I. *Provincial Subjects.*—The sphere of the Government of India should be confined to matters of Imperial importance of All-India concern. Barring Army and Navy, diplomatic and political relations, currency and public debt, customs and tariffs, Railways, Posts and Telegraphs, Exchange, Emigration and the like, and Indian heads of revenue (as distinguished from provincial) all other functions should be transferred to the Provincial Governments. Illustrative List I, appended to the Schedule, is comprehensive enough for present purposes, but the reservation made in respect of Universities serving more than one province should not apply to the University of Allahabad. It is essentially a Provincial University, and the hospitality shown by Allahabad University to areas lying outside the United Provinces, should not be allowed to intervene between the Government and people of the United Provinces, and their University. Besides the University of Nagpur was only postponed owing to the war, and as soon as the Nagpur University comes into existence the Allahabad University will cease to have any jurisdiction beyond this Province.

II. *Reserved and Transferred Subjects.*—Excepting Police, Law and Justice, all other Provincial Functions should be transferred to the charge of the Ministers. Full power for the maintenance of law and order having been secured to the executive Government, no serious risk is involved in transferring other subjects to the representatives of the people. *Substantia* steps in the direction of responsible Government were promised in the momentous declaration of 20th August 1917. The proposed scheme of reforms does not contemplate the introduction of any element of responsibility in the Government of India so the nature of the advance will mainly depend on the extent of responsibility that is granted in provincial matters. In conformity with the policy announced on the 20th August, the distribution of the provincial functions must be made on a liberal basis. Largest number of subjects which can possibly be included in the transferred group should be transferred to the Ministers, and, only the minimum number of subjects, the reservation of which is considered essential for the safe discharge of the fundamental functions of Government, should be reserved. On these grounds I am in favour of transferring all other subjects besides Police, and Law and Justice.

The august authors of the scheme, however, do not expect questions relating to land tenure or tenant rights to be transferred to the control of the Ministers. A resolution agreeing to the reservation of the Department of Land Revenue along with Police and Law and Justice, was also adopted by the majority of the non-official members of the local Legislative Council. So it is quite likely that the Land Revenue Department also may be reserved. But I am strongly of the opinion that no other subjects should be reserved and that, in every case, the subjects mentioned in statement II, Appendix I of the Report, along with those proposed by the Hon. Mr. Chintamani in his resolution in the local Council (published on page 1077 of the *United Provinces Gazette*, Part VII, dated 5th October 1918) should be transferred to the Ministers.

(3) In this connection I beg to state a few words as to the *necessity and desirability of the transfer of all classes of forests*, and not only of the unclassified and protected ones mentioned in the illustrative lists :—

(a) As the Commissioners observe in their report on Decentralization, page 107, paragraph 292 "Forest management, however well justified, involves immediate restrictions on the previous rights and practices of the local population, and forest lands include jungles and grazing lands intermingled with the cultivated areas. The report also says that these facts (along with the vast extent of the land under forest control) bring the Forest Department into intimate connection with the life of the people".

- (b) As at present constituted the Department is "too wooden, too iron and too inelastic" The interests of the public are subordinated to the interests of the Department. The Government of India admitted in connection with their resolution on Forest Policy (No. 22-F, dated 19th October 1894, that grave discontent had often been aroused by action taken in connection with Forest reservation. In the recent reservation of forests in Kumaun the interests of forests were given primary consideration, and irrespective of the admitted prescriptive rights of people, only such rights or "concessions" were recorded as were supposed to be quite safe from the standpoint of Forest Department, and consistent with the rapid growth and development of the forests. Then these flimsy privileges have been hedged round with so many restrictions and conditions that their exercise is dependent solely on the good-will of the subordinates of the Forest Department. The Department is a close machine, and it cares more for trees than for men. In order that it may be humanized and administered in a sympathetic manner, it should be brought into living touch with the people's representatives through the Ministers.
- (c) Different classes of forests are, in a way, connected with each other, and the forests stand in intimate relations with Industries, Public Works, Forests, Training and Research, etc. All these are correlated and interdependent. If Public Works and Industries are transferred,—and in all likelihood they will be,—Forests also should be made over to the Ministers. This is essential for the development of Forests and of Industries as well, also for the extension of communications in the most economic and useful manner.
- (d) So far as Kumaun is concerned there are special additional reasons for the transfer of the Forest Department. Both the Government of India and the local Government are committed to the policy of applying the net income of the Kumaun Forests to Kumaun Division for the good of the people of Kumaun. The net proceeds of the Forests are to be allotted to the District Boards to be spent over such beneficent purposes as Education, Sanitation, etc. There is no doubt that these subjects along with the local bodies will be transferred to the control of the Ministers. So the Ministers will, naturally, have greater interest in the successful and economic working of the forests, and to them must be entrusted their management. The executive councillor will not have any incentive for economy, and he cannot possibly be very particular about saving money to feed the Minister. The departmental tendency towards extravagance will be effectively checked only by the Minister.
- (e) It is not necessary to refer to the history of the question of forest reservation or to the process by which rights of the people in rural areas—and more than 95 per cent. of the people of Kumaun live in villages—have been gradually whittled down in Kumaun. The people have a great and widespread grievance in the matter, for reasons which need not be stated here. It is, however, still permissible to say that, in theory, their rights have not yet been completely repudiated. Mr. Nelson observes in his Forest Settlement Report that "as regards the management of the Forests it must not be forgotten that they are to be managed principally for the benefit of the Division. From this point of view *the Forest Department is, as it were, managing director, the people of Kumaun being the principal shareholders.*" On this analogy the shareholders are entitled to choose their own directorate, so the Minister should be the managing director. To what extent the directors have satisfied or cared to satisfy the shareholders, will be obvious from a few instances. In spite of repeated requests the authorities have refused even to publish the Forest Settlement Reports! This

is the first occasion when even in this bureaucratic administration reports, and those dealing with the settlement of the rights of the people, have been treated as confidential documents. They went so far as to prohibit the sale in some localities of wood, etc., grown on one's own measured land lest it should interfere with their management of forests. After having created a monopoly in the forest commodities, they have constantly failed to supply fuel and charcoal, in right winter season, even at the high rates fixed by them, to people at Almora. I need not dwell on this subject. I can confidently urge that the people of Kumaun are more keenly interested in the transfer of Forest Department than in any other matter, and they would prefer the transfer of forests to all other subjects.

III. (4)—*Control of Provincial Government and of ministers.*—In respect of the transferred subjects the ministers should be answerable only to the Legislative Council and to nobody else. So far as the transferred subjects are concerned, the Parliament and the Government of India should forego their own powers of intervention and control as is suggested in paragraph 291 of the report. A man cannot serve two masters; and the principles which have been lucidly explained by the framers of the report in connection with the reservation of sufficient power in the hands of the Governor and his executive council in respect of reserve subjects, are applicable, with even greater force, to the ministers and their responsibility in respect of transferred subjects. So I have no hesitation in saying that the Governor should not be given any powers of control over the ministers. Of course, he will have every right to offer his advice and to reason with the ministers, but influence and control are clearly distinguishable from each other. As His Honour Sir Harcourt Butler was pleased to remark reform should not be afraid of itself. Besides, the people are under the scheme, answerable for the conduct of their ministers, as it is laid down that if any subject is maladministered, even during the first five years, the Government of India will have power to retransfer it to the reserved list. The minister is to be appointed by the Government, but the people will have to bear the consequences. They will have no voice in his selection. Further on, if he is required to work, *subject to the control* of the Governor, the position is made even more anomalous. Then, again, the assembly is expected to exercise its vote even in respect of the salary of the ministers after some years. It is quite possible that the Governor and the Legislative Council may hold opposed or incompatible views over any particular question dealing with a transferred subject—whom is the minister expected to obey? To the extent any responsibility is delegated to the minister it should be genuine, and it should be clearly accepted by all concerned that the Governor is not responsible for the acts of the minister. In paragraph 279 it is proposed that the Governor should, in theory, have powers of control in respect of ministers but that he should exercise them sparingly. This is quite undesirable. While it will undermine the minister's sense of responsibility, it will not enable the Governor to carry his wishes. Responsibility should be genuine and undivided.

In respect of reserved functions the Government of India should have general powers of supervision in all cases. The local Government should have greater and larger power and freedom than it has to-day, but so long as Government of India remains responsible to Parliament it should have power, at least by way of reserve, to enforce its wishes. As it is a matter of administrative detail and requires a thorough knowledge of actual administration, I am not prepared to offer any detailed suggestions in this matter.

(Sd.) GIVIND BALLABH PANT, *Vakil,*
Secretary, Kumaun Association and
Municipal Commissioner, Kashipur,
(District Naini Tal).

NAINI TAL :
 The 9th day of November 1918.

A. P. Sen.

Memorandum on Transferred and Reserved Subjects.

1. For the present I would be content if to the illustrative list of transferred subjects are added the following :-

(1) Colleges, Universities and Industrial Schools.

(2) All industrial matters that are mentioned in the illustrative list of reserved subjects and that are left out in the illustrative list of transferred subjects.

2. Clear provisions should be made for transferring other subjects from the reserved list within as short a time as possible until complete provincial autonomy is attained, remembering that a very high degree of efficiency can be attained by constant training in self-government ; and therefore failure to reach that degree of efficiency should not be a bar to the transference of further subjects. Success will depend as much on the competency of those who have to exercise the power as on the hearty co-operation and assistance of those who have to part with it ; and the failure will depend as much on the lack of either or both.

3. Ministers should have complete control over the subjects that are transferred. They will consult the Governor and the Executive Council but the final decision must rest with the Ministers.

A. P. SEN,

(Middle Temple), Lucknow.

A. P. Sen.

Supplementary Memorandum.

I would submit that to the list of transferred subjects should also be added--

- (1) Forests of all classes.
- (2) Appointment, conditions of services and control of Provincial Services employed on transferred subjects. Governor might protect the existing rights of members already in service.

It is submitted that the subjects that are recommended by me for popular control and administrations are covered by the guiding principle mentioned in paragraph 238 of the Report.

(Sd.) A. P. SEN.

Copy of a resolution in the United Provinces Legislative Council regarding transferred and reserved subjects.

With reference to the suggestion in paragraph 238 of the Report on the Indian Constitutional Reforms lately published, this Council recommends to His Honour the Lieutenant-Governor to take steps to bring to the notice of the Committee that is to be appointed to consider the division of subjects between the Government of India and the provincial Government and between the Governor in Council and Ministers (to be) in these provinces, that in the opinion of this Council :—

(i) university education and industrial development should be added to the list of provincial subjects given in the first statement in appendix ;

(ii) the subjects named below should be added to the list of transferred subjects given in the second statement in the said appendix, viz. :—

- (1) The appointment, conditions of service and control of provincial services relating to transferred subjects.
- (2) Maintenance of law and order :—
 - (a) village chaukidars and headmen ;
 - (b) prisons ;
 - (c) dramatic performances and cinematographs.
- (3) Land Revenue administration :—
 - (a) court of wards ;
 - (b) land improvement and agricultural loan.
- (4) Forests and Forest Products :—
(Not merely 'unclassed and some protected forests').
- (5) Education :—
 - (a) universities ;
 - (b) technological institutes ;
 - (c) reformatories.
- (6) Civil Justice :—
 - (a) management of private trusts ;
 - (b) lunacy.
- (7) Land acquisitions.
- (8) Industrial matters :—
 - (a) factories ;
 - (b) dangerous and offensive trades ;
 - (c) inland steam vessels and steam boilers ;
 - (d) industrial development generally (not only local industries).
- (9) Government Press :—
Stationery and printing.
- (10) Inter-provincial emigration and immigration.

Note on Industrial and Technical Education in the United Provinces.

1. Apart from professional institutions, like the Medical College at Lucknow, the Thomason Civil Engineering College at Burki, the Agricultural College at Cawnpore and Law Colleges, the institutions for technical and industrial education in the province, maintained entirely by Government, are as below :—

1. Technical School at Lucknow.
2. Technical School at Gorakhpur.
3. Weaving Institute at Benares.
4. Wood Working Institute at Farelly.
5. School of Arts and Crafts at Lucknow.
6. Dyeing School at Cawnpore.
7. Leather Workers' School at Cawnpore.
8. Schools for instruction in the use of improved handlooms.

Besides these a number of industrial and commercial schools are aided by the Local Government, they are maintained by private or local bodies or Missions. Attached to the Thomason College at Burki there are classes for electrical and mechanical engineering. There is also a class for instruction in textiles in Burki. These classes will soon be removed to Cawnpore and reorganised on different lines. In addition, proposals are being matured for new technical and industrial schools to be maintained entirely by the local Government. Among these may be mentioned :—

1. A school for electrical wiremen at Cawnpore,
2. A technical school at Jhansi, and
3. A wood working and carpentry school at Allahabad.

The two technical schools at Lucknow and Gorakhpur give instruction to fit men for employment as fitters and in other similar capacities in railways and private concerns.

2. Each of these schools, besides a staff of principal or headmasters and teachers, has an advisory committee consisting of one or two officials and a number of non-officials interested in the work. The schools are directly under the Director of Industries. Until about a year ago the Director of Public Instruction had superior control over the schools. There was further a Board of Industries to advise the local Government with regard to all matters connected with industries as well as industrial and technical education. The system was modified a little time ago. The Board of Industries has been reorganised. There are now two sections of it, one for industries proper and the other for education. The education section deals with all matters connected with the schools and is presided over by the Director of Public Instruction. There are a number of non-official members including representatives of the Chamber of Commerce. The Director of Industries is the Secretary and executive agent of both sections of the Board of Industries. Important matters are dealt with by the full Board. Under the present procedure matters relating to the schools go from the principal of the school, after the opinion of the advisory committee has been obtained, to the Director of Industries and all important matters, specially concerning policy and finances, are laid before the education section of the Board of Industries. The Director of Industries sends on the opinion of the Board to the Government when final orders are passed. The Director of Public Instruction continues to be the adviser of the Government with regard to the educational aspect of the schools, and, being the Chairman of the education section of the Board of Industries, all important matters are considered by him in that capacity also. The Director of Industries is entrusted with the duty of inspecting these schools. The Director of Public Instruction also inspects and sometimes the services of specially qualified persons from this province or other provinces are utilised in this connexion.

2

3. Funds for the technical and industrial schools are provided for in the budget of the Local Government under the general head of "Education". The Government of India have, from time to time, made special grants for the development of technical and industrial education, both for capital and recurring expenditure. These are utilised to the utmost and all sums needed in addition to these grants are provided out of provincial funds.

4. The Local Government has been recently developing a progressive policy in utilising the forest resources of the province. The chief object is to utilise the less known species of timber in the province which were hitherto left unexploited. It is also intended to develop industries which subserve this purpose. For these objects it is necessary both to have an experimental institute where work can be carried on a semi-commercial scale and also to train labour for factories that might be established by private concerns. Instead of starting a separate institute for this purpose, the Local Government has decided, after full consideration, to make over the administration of the Wood Working Institute at Bareilly to the Forest Department, the Director of Public Instruction continuing to look after the educational branch of the school.

Submitted in accordance with the instructions of the President of the Division of Functions Committee.

A. C. CHATTERJEE,

*Revenue Secretary to Government,
United Provinces.*

26th November 1918.

Vikramajit Singh.

**Memorandum by United Provinces Chamber of Commerce
on the Division of Functions.**

Imperial and Provincial Heads.

The illustrative list given in Appendix II of the Report enumerating the subjects which may be treated as provincial subjects is generally suitable and I endorse the resolution adopted by the non-official members of the local Council that all the subjects given in this list and in addition general industrial development—not only local industries as suggested by the report—be treated as provincial subject, in the United Provinces. Also the reservation made by the report in case of Universities serving more than one province—a reservation that would apply in case of our Allahabad University—lacks any justification. Universities must be in the hands of the Provincial Government irrespective of the fact that any of them happens to serve any neighbouring province too.

As regards industries I need not dwell at any great length on the urgent necessity of handing these over to the local Government. The phenomenal increase in industrial activity all over the world which is anticipated to set in at the end of the present war gives the subject of industrial development, important as it has been at all times, a very special importance. We must not, we cannot afford to, lag hopelessly behind in the coming world race of economic development. We, in this country, are labouring under so many difficulties and handicaps, some of which at least the State alone can remove that the greatest care should be taken to desist from any deterrent steps which can easily be avoided. India is a vast continent consisting of so many provinces the larger of which comprise an area and population equal to some of the advanced countries of Europe. Every one of these provinces has its distinct resources to be developed, its special industries to be fostered, and its peculiar industrial problems to be solved. The local Governments are naturally in a much better position to realise the provincial needs than the Government of India. Our experience of the existing Commerce and Industries department of the Government of India has been by no means a happy one. I do not doubt that with the declared change in the State policy in the matter of industrial development the state of affair will improve. But that is no argument why we should not seek to make it better still by making industrial development a provincial concern. The needs of the situation demand that the people themselves should have the greatest possible hand in shaping the future industrial policy of the Government and this can only be achieved by making industrial development a provincial subject and then in handing it over to popular control by including it in the list of Transferred subjects. That is the most important reason why I wish this subject to be a provincial one.

Reserved and Transferred subjects in the United Provinces.

To dwell on the advisability or otherwise of making this division into reserved and transferred subjects would at this stage and before this Committee be idle as this is the hypothesis on which the official, scheme of introducing responsible Government in the provinces is based. The point to be settled is only what subjects shall be reserved and what transferred. Full responsible Government being laid down by the authors of the report as the end in view the stand-point from which the question should be approached ought to be not what subject can be transferred, but what subjects it is absolutely necessary to reserve at present. The authors would reserve the departments concerned with the maintenance of law and order. They would also reserve Land-revenue and tenant rights because they "vitaly affect the well-being of the masses who may not be adequately represented in the new councils". Whether or not there are any sufficient grounds for the apprehension that on the reformed councils the masses would not be adequately represented and thus their interests would suffer, I am not quite convinced that their interest would be any better safeguarded and actively advanced by the bureaucracy. At least

that has been our experience in the past. However in deference to the strong opinion of the authors of the report and in the strong hope that when the next re-adjustment takes place these subjects shall be transferred I would accept the retention of the Land-revenue and Tenants rights on the reserved list for the present. I think, therefore, I would associate myself with the resolution adopted by the non-official members of the local Council recommending that in the case of these provinces all subjects enumerated in the illustrative list appended to the report and in addition several other departments named in the resolution shall be transferred to popular control. All these subjects satisfy the four tests laid down by the report for the guidance of the Committee. As for the available proper electorates on the nature and extent of which, according to the report, will depend the responsibility to be transferred in any province, I feel sure that if, as suggested by me under the head of franchise, the franchise is adequately widened electorates of all kinds will be forthcoming.

VIKRAMAJIT SINGH.

NOTE.

Private Trusts.—This matter was not mentioned in the local Government's scheme; it is one of little consequence in these Provinces. The position however is this. Private Trusts are governed by Act II of 1882. This is an Act of the Imperial Legislature. It is part of the general civil law of the country, and Legislation is therefore and should remain Imperial. So far as legislation is concerned accordingly there is nothing that could be transferred. On the other hand there is equally nothing to transfer under administration. The Government does not administer these trusts in any way nor has it any powers under the Act. The Civil Courts have certain powers under the Act of course but not the Government. The subject is in fact first of the general head civil practice which it is proposed should be reserved, though as above mentioned in this particular case all that can be reserved is legislation.

(Sd). S. P. O'DONNELL,

Anand Swarup.

Memorandum on the Division of Functions.

I. It goes without saying that the success of the reforms scheme depends to a large extent on solution of the question of transferred and reserved subjects. The adequacy of the scheme as a substantial advance in the direction of responsible Government will be judged by the list of transferred subjects that may be decided upon. The authors of the scheme have laid down a guiding principle to determine what subjects should be transferred. They say that the guiding principle should be to include in the list of transferred subjects those departments which afford most opportunity for local knowledge and social services, (2) those in which Indians have shown themselves to be keenly interested, (3) those in which mistakes which may occur, though serious, would not be irremediable, and (4) those which stand most in need of development. I have no quarrel with this principle. In pursuance of these principles they say that departments primarily concerned with the maintenance of law and order should not be transferred, and I am in full accord with this view. Then they go on to say that the matters which vitally affect the well being of the masses who may not be adequately represented in the new council may not be transferred—such, for example, the question of land revenue and tenant rights. Although it is open to question whether land revenue is such a subject in which the interest of masses is likely to suffer at the hand of Indian ministers of the Legislative Council, but as at present advised I do not press this point and would leave the subject of land revenue alone till the next revision of this list, by which time I hope we could find a more intelligent electorate alive to its vital interests.

However, I take liberty to submit that the illustrative list of transferred subjects rather shows that it is not as liberal as the guiding principle laid down above.

I need not discuss every subject, but I suppose that beyond the subjects connected with the maintenance of law and order the question is not why a certain subject should be transferred but that why it should not be transferred.

The authors of the report desired to see the illustrative lists of transferred subjects discussed in the provincial council, and it has been so discussed in our council in August 1918.

The council agreed to the resolution moved by the Hon'ble Mr. C. Y. Chintamani enumerating the subjects that should be included in the lists of transferred subjects in addition to those mentioned in the illustrative list. I adhere to that resolution, but I would like to emphasise on two subjects—the education as a whole including the university education and the development of industries.

I submit that all branches of education are inseparably connected. As remarked by Lord Holden, the primary education is the foundation of university education. It is a subject in which Indians are keenly interested and have shown a keen interest. Similarly the subject of the development of industries is closely connected with the whole question of prosperity of India. It is the subject which stands most in need of development. Therefore these two subjects are subjects which specially fall within the guiding principle laid down by the authors of the report, and I submit that they should at all events be included in the list of transferred subjects.

(Sd.) ANAND SWARUP.

AGRA PROVINCE ZAMINDARS' ASSOCIATION, ALLAHABAD.
DIVISION OF FUNCTIONS.

(In connection with the Montagu-Chelmsford Indian Reforms Scheme.)

We have the honour to submit below our Association's opinion on the question of franchise and division of functions involved in the Indian Reforms Scheme as proposed by His Excellency the Viceroy and the Right Hon'ble Mr. E. S. Montagu, Secretary of State for India.

We entirely agree with the view expressed by the authors of the scheme, that some sort of effective control by the Government of India over the Provincial Governments must be retained for some time to come with a view to enforce and carry out its administration and other functions it is responsible for to the British Parliament, till the provinces become completely self-governing and independent. It is highly desirable that the Government of India should continue to exercise control over Provincial Governments with a view to direct facility in its policy in the interests of administration and general policy of defence or foreign political relations. We think the authors are right in suggesting that all matters arising out of religious and racial problems should also be within the scope of control and interference of the Government of India. Certain matters directly affecting law and order have also to be dealt with in a manner hitherto done by the Government of India. It is clear that the Government of India will be responsible for some time to come for the policy of defence, Foreign Trade Tariff and questions affecting foreign and political relations. However, we would not look with favour an excessive interference by the Government of India in matters directly affecting the internal administration of the provinces and their general progress. No doubt a good deal of the industrial progress of the provinces will depend upon the fiscal policy of the Government of India and it is here, we hope, the Government of India will not launch upon a policy that will not act as a clog on the progress and success of the industries. We know that the first charge on the provincial revenues will be that of Government of India, while no doubt, some procedure may be laid down by the Government of India for the provinces with a view to realise the Imperial revenue and to impose its will. It may also be necessary to have clear safeguards, lest Imperial revenue should suffer. While we agree that Government of India should have sufficient ways and means at its disposal to carry out its policy and administration, we shall strongly urge that, since we are to be trained to take the complete responsibility of governing the provinces, ultimately a large measure of freedom in enacting laws and carrying out justice must be enjoyed by the Provincial Government, which will be responsible for the administration and the general progress of the provinces.

We proceed to give now the list of the subjects to be considered as transferred subjects to be given in the Indian custody.

We entirely agree with the arrangements about the transferred subjects and the division of functions as foreshadowed in the lists given in the report on the reform scheme with a clear and emphatic opinion that under no circumstances questions of land revenue and tenants' rights should be regarded as transferred subjects for some time to come.

As to how far the Governor should have control over the transferred subjects :—

We are of opinion that the Governor in Council should exercise his decision on only when a difficulty arises as to whether a particular matter concerns with the list of transferred subjects or not. The ministers should have complete freedom in discharging their duties for which they are made responsible.

We are afraid we are unable to give a clear cut scheme for the division of function affecting Government of India and the provinces, as we have very little time at our disposal to submit a well considered opinion on the subject. We do not pretend to have given a comprehensive and detailed scheme on the subject as a whole, for want of sufficient time, and in the hope that other interests and communities involved would do their best in submitting what, say, they are entitled to have in the matter. We have therefore confined ourselves to the requirements of the landed community, to which we have honour to belong and whose voice we claim to represent.

(RAJA) RAGHO PRASAD NARAIN SINGH

RAJ BAHADUR,

Hony. General Secretary.

Habib Ullah.

**Note by the British Indian Association, United Provinces,
on the transfer of subjects, *viz.*, of certain fixed heads of
departments for their management under more or less
entire popular control.**

To any one who is in touch with the present conditions prevailing in these provinces the problem of transferring the administration of certain particular departments to the popular control under the proposed constitution of the provincial government is a vexed and intricate subject.

The device is intended to train the people of this country in administrative methods gradually, so that when the popular element is fully trained and developed the entire responsibility of administration be vested in it. The authors of the scheme acknowledge the dangers and difficulties that may hamper the working of the administrative machinery in carrying out their intentions but their reasons for taking the step is that they cannot find any better way for giving effect to their object of training the Indian public to enable them to undertake the responsibility of managing their own affairs. With this conviction they have proposed a system which leads to a dual form of government (1) under the Governor and Executive Council consisting of two members and (2) under the Governor and one or more ministers to be selected by the Governor from among the elected members of the Executive Council.

The drawbacks of this form of government are manifold, but it has been proposed as the only practical form by which responsibility of administration can be gradually made over to the people. To avoid this dual form of administration will it not be practicable to form the provincial executive into one whole by giving Indians a majority therein? For instance, let the Executive Council of the Governor have 4 members, two of whom may be selected by the Governor from among the elected members of the Council and one more Indian selected from outside the Council, the fourth to be selected from among the officials. This proposal gives more control and share to Indians than the dual form advocated in the scheme; it removes dualism and makes the executive more united as a single whole.

However, I take it for granted that no other scheme for the separation of particular departments with all its advantages is likely to be substituted for the present one, and I therefore beg to attach a list which in my humble opinion may comprise the transferred subjects. I notice that the list attached to the proposals of reform includes some minor subjects which are at present included in certain large departments and on this ground I have excluded them from the list. For instance, the registration of births and deaths in areas outside municipalities is done through the police. To separate it would mean the appointment of a special staff. Likewise the administration of excise is at present largely carried on through the revenue department and police and its separation would only entail extra-expense to the department. It may be said as regards excise that it is an undesirable source of revenue and should be done away with as soon as possible. This may be true theoretically, but in view of the need for funds it would be practically impossible for many years after the war to do away with any existing source of revenue. In fact the country ought to be prepared for devising means to add as much to its existing revenue as possible.

The following is the list of subjects proposed to be transferred for administration under the popular control:—

(1) Taxation for provincial purposes.

At present the power of taxation is under the control of the Government of India. The local bodies can impose local taxes.

The provincial council should in future be authorised to legislate for the imposition of such taxes as are not of Imperial or All-India concern. Such taxes may be defined by the Government of India.

- (2) Local self-government in all its details excepting matters affecting the maintenance of law and order.
- (3) Education in all its stages, including technical education.
- (4) Medical and sanitary in all their details.
- (5) Agriculture, civil veterinary, diseases of animals.
- (6) Co-operative credit.
- (7) Public works roads and buildings, tramways and light and feeder railways.
- (8) Charitable endowments and public trusts.
- (9) Development of arts and crafts and industries.
- (10) Government Press (stationery and printing.)
- (11) The registration of deeds and documents.

Dr. Ranjit Singh.

Memorandum on the Division of Functions.

I accept in its entirety the resolution passed by the local Council on this subject. I quote it below :—

“ The Hon'ble Mr. Chintamani moved the following resolution :—

“ With reference to the suggestion in paragraph 233 of the report on the Indian Constitutional Reforms lately published, this Council recommends to His Honour the Lieutenant-Governor to take steps to bring to the notice of the Committee that is to be appointed to consider the division of subjects between the Government of India and the Provincial Government and between the Governor in Council and ministers (to be) in these provinces, that in the opinion of this Council :—

(1) University education and industrial development should be added to the list of provincial subjects given in the first statement in appendix II of the said report, and the subjects named below should be added to the list of transferred subjects given in the second statement in the said appendix, viz :—

(1) The appointment, conditions of service and control of provincial services relating to transferred subjects.

(2) Maintenance of law and order :—

(a) Village chowkidars and headmen.

(b) Prisons.

(c) Dramatic performances and cinematographs.

(3) Land revenue administration :—

(a) Court of wards.

(b) Land improvement and agricultural loan.

(4) Forests and forest products :—

(Not merely unclassed and some protected forests.)

(5) Education :—

(a) Universities.

(b) Technological institute(s).

(c) Reformatories.

(6) Civil justice :—

(a) Management of private trusts.

(b) Lunacy.

(7) Land acquisition.

(8) Industrial matters :—

(a) Factories.

(b) Dangerous and offensive trades.

(c) Inland steam vessels and steam boilers.

(d) Industrial development generally (not only local industries).

(9) Government Press :—

Stationery and Printing.

(10) Inter-provincial emigration and immigration.

As regards the powers of control that should be retained by the Government of India in relation to the provincial subjects, in order to secure the discharge of their own representatives and the grounds on which and the

manner in which these powers should be exercised, I can only say that the minimum of control that may be regarded as indispensable should be retained by the Government of India. I am not in a position to elaborate this in detail.

As regards the powers which should be exercised by the Governor in Council in relation to transferred subjects and the grounds on which and the manner in which these powers should be exercised, I agree with the resolution passed by the recent Moderate Conference at Bombay, namely,—“That whatever power may be given to the Governor in Council to interfere with the decisions of the Governor and ministers on the ground of their possible effects on the administration of the reserved subjects, corresponding power should be given to the Governor and ministers in respect of decisions of the Governor in Council affecting directly or indirectly the administration of the transferred subjects.”

I would like to say one last word on the question of transferred subjects. According to the principles enunciated in paragraph 238 (page 115 of the report) I plead for the transfer of the largest number of subjects that can safely be transferred; only the minimum number that must be reserved being reserved. It is difficult for a non-official to demonstrate in detail with reference to each department that it can safely be transferred. It may be that at the outset some risk is run in the case of some of the departments of a lowering of the standard of efficiency, but the risk must be taken. It can be taken with the less misgiving, inasmuch as the departments that are concerned with the maintenance of law and order will remain reserved. I would further plead that no reservations that may not be absolutely necessary should be made in the case of departments that are to be transferred. Everything that may lead to avoidable friction should be guarded against. It should be remembered in this connection that the report lays down that the relation of the Governor to the ministers will not be that obtaining in the self-governing dominions but he will have power to advise and to some extent even to control the ministers in charge of transferred subjects. In addition, as it is to be the general practice that the Executive Government will deliberate as a whole, the ministers will have the further benefit of the advice of the Executive Councillors. Ample safeguards being thus provided against possible administrative mishaps, I would earnestly urge an unhesitating policy of courage and confidence in the matter of the transfer of subjects. Without such liberality the reforms will not evoke the measure of enthusiasm which will help in hearty co-operation between the two sections of the Government and the Legislature, which alone can lead to success.

(Sd.) D. R. RANJIT SINGH, *Capt., I.M.S.*

Memorandum for the Committee on Division of Functions.

1. In Illustrative List No. I, the restrictions placed upon the powers of the Provincial Governments with reference to Universities, the tramways, light and feeder railways, land acquisition, immigration and emigration should be done away with. These subjects should be wholly provincialized and the Provincial Government should enjoy all powers as to legislation and administration with reference to them.

2. As to transferred subjects, I would add the following to Illustrative List No. II, viz. :—

- (1) The appointments, conditions of service and control of services relating to the transferred departments, subject to any existing privileges.
- (2) Maintenance of law and order :—
 - vi. Poisons.
 - viii. Dramatic performances and Cinematograph.
- (3) Forests and forest products.
- (4) Public Works including major irrigation also.
- (5) Education including Universities, Reformatories, and Industrial or Technical schools.
- (6) Land acquisition.
- (7) Industrial matters.
- (8) Business concerns.
- (9) Inter-provincial immigration and emigration.

My reasons for adding these subjects to the transferred list are obvious. The test which has been laid down in the report itself applies fully to them.

Education should go as a whole; you cannot divide it into self-sufficient branches. The University regulations have a direct effect on secondary education, which latter supplies the materials for the University. Moreover the Allahabad University is shortly to become purely Provincial. Education is a subject which is a purely national concern and of all subjects is one to be immediately handed over to the popular side of the Government. Huge funds are required to put education on a satisfactory basis and this it would be impossible to do without fresh taxation. A popular Government will be the better able to do so.

Industrial matters should be transferred from the very beginning, as upon the improvement of industry depends the prosperity of the people at large. It is a subject allied to co-operative credit and agriculture and is one in which Indians have shown great keenness. By transferring it the Government will be removing the suspicion which rightly or wrongly has gained ground that Indian industrial interests are being sacrificed to the interests of the rest of the Empire. The Industrial Commission has also recommended that agriculture, co-operative credit and industries should remain under one control.

Closely connected with industry is the administration of Forests and Forest products. Its possibilities are great and the development requires good deal of outlay. Again there are privileges and vested rights of the people in the forests, which can be better dealt with by a popular Government. It may be said that the subject is rather technical, but the objection has no force when all industrial matters are required to be transferred.

Major irrigation cannot be separated from minor irrigation, and the control of the two should not be divided.

The administration of land acquisition, business concerns, and immigration and emigration should be popular. In all of them, local knowledge and popular impetus are necessary.

Dramatic performances, poisons, and cinematographs directly effect the social progress of the community and are eminently the subjects to be transferred to popular control.

That the control of services relating to the transferred departments should remain with the popular Government is obvious. This should be subject to existing privileges and vested rights, but eventually the conditions of service and the appointments, etc., should vest in the Ministers of the transferred departments, otherwise the successful administration of the subjects is likely to be hampered by voluntary disobedience or involuntary sloth.

ALLAHABAD: } NARAYAN PRASAD ASHTHANA,
The 16th November 1918. } (*Member, United Provinces Legislative Council*),
Vakil, High Court.

Written statements by Captain D.R.Ranjit Singh, I.M.S.,
for the Constitutional Reforms
Committees (Franchise).

Provincial Legislative Council.

Franchise.

I would give the vote in Rural areas to the following
classes of persons.

1. Landholders paying a revenue of Rs.25/- or more p.a.
2. Tenants who pay in rent Rs.50/- or more p.a.
3. All Income Tax payers residing outside Municipalities.
4. All persons who pay a District Board Tax (to be imposed
in future) on an income of Rs.200/- or more p.a.
5. All Graduates residing outside Municipal areas.

In Urban Areas.

I would give the vote to the following:-

1. All persons of the above classes living in
Municipal areas.
2. All persons who occupy a house of a minimum rental
of Rs.3/ a month.

Representation.

Election should be direct and electorates should be
territorial. The only communal electorates I would have are
for the Muslims. This because of the history of the
subject of Muslim representation. The special interests
that may be represented are of trade and industry. With
regard to the Europeans, what ever special interest they
have is represented by the Chamber of Commerce. With re-
gard to Europeans and Anglo-Indians whose interests lie
outside the Chamber of Commerce, it is immaterial to me
whether a few cities are provided for them by separate
representation or government nomination. I would not have

any plural constituencies. I would also give representation to the University including among the electors thereof not only ordinary and honorary fellows but also registered graduates.

Official and Nominated Members.

I would restrict the number of Official and nominated non-official members to what may be required in order to give the Government the requisite majority in the proposed Grand Committee.

Composition and Strength of the Provincial Council.

My proposals are:-

1. Members elected by general territorial electorates: 43 at the rate of one per cent, plus one additional member for each district where the electorate would exceed 30,000 voters; the additional member would be 10. I would give a 3rd member to the district of Bulandshaher as the number of voters there will be over ninety thousand and to the district of Gorakhpur in view of its exceptionally large area and population. The general territorial electorates will thus return: 60
2. Representatives of Muslim territorial electorate at the rate of 3/7ths of the general: 26. (the distribution of these 26 among the districts I would leave to the Local Government).
3. Two members each for the 5 cities of Allahabad, Lucknow, Benares, Agra and Cawnpore each of which has a population of 150 thousand or more, and one member each for the other 11 towns in the province having

a population of 50 thousand or more: 21.

4. Representatives of special Muslim electorates in cities at the rate of $\frac{3}{7}$ ths of the general: 9
5. One member each for the two Chamber of Commerce and one each for the 2 Universities: 4
6. One member each for Taluqdars and Zemindars in Oudh and Agra who pay a revenue of 5 thousand Rs. or more: 2.
7. Official and non-official nominated members: 23 (out of which 3 should be representatives of non-official Europeans and Anglo-Indians). Total: 150.

Note: I only provide separately for two seats for Taluqdars and Zemindars because they enjoy this much of representation now and I do not want to take away what they have already got. I would not mind if the representation of the Taluqdars will be secured through the British Indian Association, although I would prefer that Taluqdars as such and not the Association should be the electorate. All other Zemindars come in through the general electorates.

LEGISLATIVE ASSEMBLY OF INDIA.

At present Landholders and Mahomedans enjoy direct representation to the Indian Legislative Council, it has not been found impracticable to arrange for such direct election. I think it will be feasible to have direct election for the Legislative Assembly, I would give the Franchise to the following classes of persons:

Landholders who pay a revenue of Rs.100/- or more.

Tenants who pay a rent of Rs.200/- or more.

All Income Tax payers.

All ordinary and honorary Fellows and registered Graduates of the two Universities of Allahabad & Benares.

Persons who pay to District Boards a Tax on an income of Rs.600/- a year or more and in Municipalities occupiers of houses at a rental of ~~Rs.~~ Rs.12/- or more.

The United Provinces should be represented in the Legislative Assembly as follows:-

One member each for the Meerut, Agra, Allahabad, Benares, Lucknow and Fyzabad divisions and one each for Rohilkhand and Kamaun and Gorakhpur and Jhansi: 8.

Muslims at the rate of 3/7ths of the above: 3.

Landholders of Agra & Oudh, each one: 2.

Europeans: 1.

Total- 14.

The total ~~strength~~ strength of the Legislative Assembly be fixed at 130.

Bengal, Madras and Bombay returning 14 members each, Bengal and the Punjab 11 each, the Central Provinces and Berar 8; Madhya and Assam 4 each; Ajmer-Marwar, the Frontier Province and Delhi, one each, and 33 nominated members including Officials.

Qualifications of Candidates:-

For both the Provincial Legislative Council and the Legislative Assembly of India, the only qualifications I would prescribe for Candidates are residence in the Province being on the electoral roll and not being liable to any disqualification that may be prescribed by statute.

General:- The majority of the electorate may be uneducated at present but they are not wanting in intelligence and

understand their own interest. Besides, a new policy of vigorous and educational expansion is being inaugurated by our present Lieutenant Governor and in a few years time illiteracy will be a much smaller evil than at present. The exercise of the vote will itself be a powerful educative factor.

The agency for conducting election of the new conditions will be brought into existence without any insuperable difficulties.

Council of States:-

I would increase the number of elected members in the Council of State from 21 to 25 and distribute them as under:

- By the elected members of the Legislative Councils of Madras, Bombay, Bengal, Punjab, Behar and U.P., 2 each; 12.
- By the Legislative Councils of Burma, C.P. and Assam, 1 each; 3
- By the Chamber of Commerce of Bengal and Bombay, 1 each; 2.
- By Zemindars of Bengal and Behar (1) Madras, Bombay and C.P. (1) and U.P. and Punjab (1) each Zemindar voter being a payer of revenue of Rs.20 thousand a year or more.
- By the Muslim members of the Bengal, U.P., Punjab, Behar and Bombay Legislative Councils, 1 each; 5, total 25.

In the 3 provinces last named where the Muslims will have a separate representation, only the non-Muslim elected members of the councils to be voters and only non-Muslims to be Candidates, under class 1.

Similarly the big Zemindars who are accorded separate representation not to be voters or Candidates in any other electorates.

The following classes of persons to be eligible for election to the Council of States:

Past and present members of any Legislative Councils.

Ordinary and Honorary Fellows of Universities.

Past and present Presidents and Vice-Presidents of District Boards and Chairmen of Municipalities.

Retired Government Officers of standing not lower than Subordinate Judges, Deputy Collectors, Professors of Colleges, Inspectors of Schools, Civil Surgeons and officers of other Civil departments of corresponding rank, and retired Army officers or persons with honorary military rank, not lower than Captain.

Note for the Committee on the Division of Functions.
and
The Franchise Committee.

*Submitted on behalf of the Kisan Sabha
(Peasants Association) of the
United Provinces.*

On behalf of the peasants of the United Provinces of Agra and Oudh, the U. P. Peasants Association, Allahabad, has the honour to submit the following proposals and criticisms, with a staunch hope, that the Government, the Subjects and the Franchise Committees, and also the representatives of the different public bodies of these Provinces who have been offered the chance to give evidence before the two Committees will also turn their 'awfully' busy eyes towards the teeming millions of the tenantry, who, though neglected and avoided, owing, perhaps, to the brand of illiteracy very frequently impressed on their foreheads, do understand 'what is theirs by right' and 'what they must have sooner or latter.'

- (1) With regard to the extension of the franchise we agree that it should be fairly wide to obtain genuine representation of the body of the rate-payers. We propose that the 'right of voting' be assigned to :—
- (a) all payers of income-tax outside the Municipal lines.
 - (b) all persons paying a local tax of Rs. 5.
 - (c) all landholders paying land-revenue of Rs. 25 or all revenue-free-grantees or Sankalpders of equal status.
 - (d) All tenants paying a rent of Rs. 25 or holding 10 bighas of land. To be more explicit, a tenant, holding 10 bighas of land, no matter his rent be less than Rs. 25, as also a tenant paying Rs. 25 as rent, no matter his holding be less than 10 bighas, should be allowed a vote.
 - (e) All sub-tenants (Shikmi) paying a rent of Rs. 50 or upwards.

We propose that there should be no sex-disqualification, and that the women should be given the right of voting with permission to vote by proxy if necessary. This concession should also be extended to minors, lunatic and other disabled tenants whose guardians should be authorised to vote on their behalf.

We also are of opinion, that if names of more than one tenant were entered in one and the same 'Khata', each tenant should be allowed a separate vote provided that on division of their joint-holding each might get ten bighas as his share ; but if, on the other hand, the right to vote be made to rest upon rent-qualification, each should be given a vote provided that he might pay a rent of Rs. 25.

(f) All vernacular-middle-passed teachers.

2. We do not consider that a separate electorate is at all desirable in the case of

Zamindars or any particular community or sect. But if separate electorate were granted, the grantees, whoever they may be, should not be permitted to take any part in the general election, and their representation should be in proportion to their number.

We are also of opinion that the number of the Zamindar-representatives should be five times less than that of the other representative members in the Council.

With regard to the U. P. Council Committee's report dated the 16th October, 1918, para 15, we submit that it is a piece of sheer injustice to allow, at the expenses of other's rights, any such concession to the Mussulmans as has been proposed to be allowed in that report.

We are again of opinion that Divisional Councils will serve no useful purpose, and hence should not be established.

- (3) We think that the Council of State will breed disunion and bring about estranged feelings, and therefore we propose that it is useless to have it. But if any such Council were brought into being, at least half of its members should be elected by our own representatives. We are of opinion, that it is wholly inexpedient to allow the Zamindars, the Mussulmans or the Commercial class, any separate representation on this Council; but, if separate representation were allowed, it should, in order to safeguard our interests, be on the same basis as in the case of the Provincial Councils.
- (4) We consider that the department dealing with the tenants rights and rents might well be made over to the control and supervision of our elected representatives, for otherwise we shall continue to 'groan' under the same old pressure of unusually extortionate rent which the officials-in-charge have up till now failed to look into and lighten.
- (5) We are of opinion, that the contributions made by the Provincial Government to the Government of India, should be in accordance with the gross Provincial Revenue instead of gross Provincial surpluses. We extend our hearty support to the resolution moved in this connection by Prof. Ward in the Provincial Council of the 12th August, 1918.
- (6) We propose that the Provincial Legislative Council should consist of at least 250 members, of whom one at least must be elected by general election from each tahsil, and the rest may be nominated.
- (7) We are also of opinion, that the Indian Legislative Council should have at least 150 members, of whom $\frac{1}{3}$ must be elected and that the number of elected members which each Province shall send to this Council must be in proportion to its population.

We have the honour to be
Sir,
Your most obedient servants.

W. M. M.
President

MUNICIPAL ELECTIONS.

1. The qualifications of electors in municipalities are prescribed partly by the Municipalities Act of 1916 and partly by rules framed by the Local Government under the Act. The following persons have a statutory right under the Act to be enrolled as electors:—

- (a) graduates of any University; and
- (b) persons assessed to direct taxation, if the annual amount of such direct taxation is not less than an amount fixed by a rule made in this behalf, provided that the payment of any such tax is not in arrears on the 30th of September. The amount of direct taxation qualifying varies in different municipalities as separate rules have been made for each municipality specifying the qualifying amount. This is necessary owing to the different systems of taxation in different municipalities, some municipalities having little or no direct taxation.

The above are the only two statutory qualifications, but in addition there are seven other qualifications specified in the Act, any one or more of which may be made applicable to any municipality by rule made in that behalf. These optional qualifications are the following:—

- (1) a payer of income-tax;
- (2) an owner of a house or building of a minimum annual value to be fixed by rule;
- (3) an occupier of a house or building of a minimum annual value to be fixed by rule;
- (4) persons in receipt of a minimum annual income to be fixed by rule;
- (5) an owner in his own right of land in respect of which land revenue amounting to a minimum sum per annum to be fixed by rule is payable;
- (6) an owner in his own right of land free of revenue, if the land revenue nominally assessed on such land, in order to determine the amount of rates payable in respect of the same, either alone or together with land revenue payable in respect of other land by such owner, amounts to a minimum sum to be fixed by rule;
- (7) an ex-proprietary tenant or occupancy tenant of land in respect of which rent amounting to a minimum sum per annum to be fixed by rule is payable.

All these optional qualifications have not been applied to all municipalities; some have been applied to some municipalities and others to others according to the circumstances of the municipality. In some of the smaller municipalities, e.g., it is difficult to apply the qualification of ownership or occupation of a building of a minimum annual value owing to the small number of rented houses which would serve as a basis for the preparation of any such list. In such municipalities, and more particularly in those which are little more than overgrown agricultural villages, the ownership or fixed tenancy of land is an easier qualification to work upon, while such a qualification would be of little use in a large city. In the larger municipalities again it would obviously be difficult to prepare a list of the incomes of all residents down to a low minimum, while in the smaller municipalities where everybody knows roughly everybody else's income the preparation of such a list would not be so difficult.

The qualifications in the different municipalities have been prescribed on no definite principle. The proposals made by individual boards have generally been accepted unless there are obvious objections such as, e.g., the disfranchisement of a considerable body of existing electors. The result is that the qualifying amounts even in regard to the same qualification vary from municipality to municipality. For example, where the qualification is the payment of a municipal tax the minimum amount qualifying varies from Rs. 2 to Rs. 36; where the qualification

is the ownership or the occupation of a building of a certain minimum annual value the prescribed minimum annual value ranges from Rs. 3 to Rs. 300; where the qualification is the payment of land revenue or rent the minimum payment ranges from Rs. 15 to Rs. 250. The proportion of electors again possessing these varying qualifications to the total population varies from municipality to municipality. One municipality has only one per cent. of its population registered as electors while another has 16.

The following persons, notwithstanding that they possess the qualifications prescribed, are disqualified by the Act from being enrolled as electors, viz., any person who on a fixed date—

- (a) has not attained the age of 21 years, or
- (b) is not a British subject, or
- (c) has been adjudged by a competent court to be of unsound mind, or
- (d) is an undischarged insolvent, or
- (e) has been sentenced by a criminal court to imprisonment for a term exceeding six months or to transportation or has been ordered to find security for good behaviour under the Code of Criminal Procedure, such sentence or order not having subsequently been reversed or remitted or the offender pardoned.

2. No person can be enrolled on a candidate list (i. e., a list of persons qualified for election) unless he is enrolled as an elector and unless in addition he possesses such qualifications as are prescribed by rule. In almost every municipality the qualifications prescribed for candidates are higher than those prescribed for electors and, as in the case of electors, no definite principle has been observed in determining what those qualifications should be, the proposals of the individual boards having usually been dealt with in the same way as the proposals for the qualifications of electors. Thus, while the total number of electors in the province is nearly 4 per cent. of the municipal population, the number of persons qualified for election is 0.50 of the population, but the percentages differ widely in individual municipalities. In most municipalities it is prescribed that candidates must be able to read and write and must be of the male sex.

The following persons, notwithstanding that they possess the qualifications stated in the rules, are disqualified by statute from being entered in the candidate list of any municipality, viz., any person who—

- (a) has been dismissed from Government service and is debarred from re-employment therein, or
- (b) is debarred from practising as a legal practitioner by order of any competent authority, or
- (c) holds any place of profit in the gift or disposal of the municipal board, or
- (d) has been found by any court inquiring into an election petition to have committed any corrupt practice in connection with the election and been declared by the court to be incapable for a specified period of being elected as a member of the board, or
- (e) has been removed from membership of a board for certain definite reasons (specified in section 40 of the Act) until the disqualification has been cancelled by order of the authority removing him, or
- (f) is a stipendiary magistrate or police officer.

The disqualifications in cases (a) and (b) above may however be removed by an order of the Local Government.

3. The larger municipalities are divided into wards for election purposes, and in almost every municipality there are special electorates for Muslims, and in a few municipalities special electorates for other classes. Of these other classes the more important are the Marwari electors in Cawnpore who return two members, the European electors in Lucknow and Dehra who return two and five members each; while in the two hill municipalities of Mussoorie and Naini Tal, where there is no separate electorate for

Muslims, the electorate is divided into three classes, proprietors, petty holders and the general electorate, each of which returns a fixed number of members.

Formerly municipal members were returned by rotation, one-third of the elected members being returned each year and the period of membership being fixed at three years. These annual elections did not find much favour with the boards or the general community, and when the new Act came into force in 1916 and the boards were reconstituted advantage was taken of the opportunity to introduce a system of triennial elections. The whole board is thus re-elected once in three years, the only intervening elections being those required to fill up casual vacancies. It is thus, as a general rule, unnecessary to prepare an electoral roll more than once in three years.

The date by which the electoral qualifications are determined is, except in the case of the hill municipalities, the 30th of September. The electoral rolls have to be prepared before the 1st day of December. The municipal board appoints the person or persons who prepare the electoral rolls, but such appointment requires the approval of the District Magistrate. Some boards appoint one of their own staff, others appoint members of the board or other prominent citizens. Where a municipality is divided into wards a separate roll has to be prepared for each ward and where there is a special electorate a special roll has to be prepared for such electorate; and in some cases where the municipality is divided into wards for the separate Muslim electorate separate rolls are prepared by wards for such electorate.

To facilitate the preparation of the electoral rolls the executive officer or secretary of the municipal board prepares preliminary lists of persons qualified under the different qualifications. These lists are prepared in the following manner:—

- (1) A list of resident graduates of any University is kept up on which is entered the name of every such graduate who proves his right to be entered thereon.
- (2) Where the qualification is one of assessment to municipal taxation, the list is compiled from the registers of assessment to taxation maintained in the municipal office, and against the name of any defaulter is entered the amount of arrears due at the time of the preparation of the list.
- (3) Where the qualification is the payment of income-tax, a list is obtained from the Collector of the persons registered as paying income-tax.
- (4) Where the qualification is the ownership or tenancy of land, a list is obtained from the Collector of the persons so entitled.
- (5) Where the qualification is the ownership or occupation of a house or building of a certain annual value, the list is, if there is a tax assessed on the annual value of buildings in the municipality, compiled from the assessment register of such a tax. Where there is no such tax, a list is drawn up and approved of by the board, the board, being empowered to correct the list from time to time in view of any information that may come to its notice, such, for example, as that contained in applications for permission to erect buildings.
- (6) Where the qualification is the receipt of a certain annual income, lists are obtained from the Collector and other Government officers of persons in Government employ and from firms and employers of labour of persons in their employ who are in receipt of an income not less than the minimum prescribed.
- (7) Where the qualification is possessed by an undivided Hindu family the name of the manager is inserted as the elector.

These lists are handed over to the persons appointed to prepare the electoral roll and as the lists contain references to the items in the registers on which they are based the lists have to be compared by them with those registers and in cases where the electoral roll drawn up by them differs from these lists they must specify the reasons for the variations.

As no person is entitled to enrolment on more than one roll, although he may possess the necessary qualifications in more than one ward, in order to avoid disputes

rules have been made providing that, no person may be enrolled on an electoral roll of a ward unless he either resides or is assessed to a property tax therein; that if a person entitled to enrolment on more than one ward roll resides within the municipality he shall be enrolled on the electoral roll of the ward within which he resides and on no other; and that a person not residing within the municipality and possessing qualifications in more than one ward shall be enrolled on the roll of the ward within which his assessment is highest.

It is not necessary to prepare completely new lists or rolls; the persons appointed may, if they choose, simply revise and alter the existing rolls.

The electoral rolls must be completed by the 1st of December, and handed over to the executive officer or secretary of the board by the persons appointed to prepare them. Copies are then fixed up at the municipal office and in other public places prescribed by the board and are kept so fixed up during the last seven days of December and the first seven days of January. If a municipality is divided into wards, a copy of the roll for each ward must be fixed up in some conspicuous place in the ward concerned. To each electoral roll so fixed up is appended a list showing all names added to the previous roll and a list showing all names struck off from the previous roll, while proclamation is made throughout the municipality by notice and by beat of drum that the rolls have been so prepared and that copies of them can be inspected at specified places.

Persons whose names are not entered on the roll and who claim to have their names inserted and persons whose names are on the roll and who object to the inclusion of any name in the roll must give notice of their claims or objections at the municipal office before the 7th of January. The notice must contain a statement of the qualifications on which the claim is based or of the reasons for which objection is made. A list of these claims and objections is posted up from the 10th to the 15th of January. The claims and objections are heard and determined during the last 15 days of January by a committee or committees consisting of two members of the municipal board appointed by the board and presided over by a Government officer appointed by the District Magistrate. No person who has been appointed to prepare an electoral roll can be appointed a member of any such committee. The president of the committee determines the time and place for the meetings of the committee and notice of the time and place has to be given by the executive officer or secretary of the board, three clear days before the sitting, to each person lodging a claim or preferring an objection or to whom objection has been made. These revising committees are also authorized in cases where they have reason to believe that there are any omissions from an electoral roll, other than those in respect of which claims have been made, or that there are any entries in a roll, other than those in respect of which objections have been made, which should be removed or corrected, to order such omissions or entries to be supplied or removed or corrected after giving reasonable notice to the persons affected. The proceedings of the revising committee are reduced to writing and must be submitted seven days after their last sitting to the District Magistrate. Within one month after such sitting the District Magistrate may make corrections in the electoral roll, but after the conclusion of that period the orders passed by the revising committees or by the District Magistrate are final and the electoral roll cannot then be altered or questioned.

The procedure regarding the preparation of the candidate list is exactly the same as that for the preparation of the electoral roll; it is prepared by the same persons or committee as prepare the electoral roll and is open to revision by the revising committees and the District Magistrate in the same way as the electoral roll. While, however, the candidate lists like the electoral rolls, are prepared according to wards or according to separate electorates, a special electorate or ward electorate is not restricted in its choice of candidates to persons enrolled on the list for that particular ward or class. The candidate lists are amalgamated into one general candidate list by the executive officer or secretary of the municipal board, the names being arranged in alphabetical order, and any person whose

name is on the general candidate list may stand as a candidate for any ward or any special electorate.

The electoral rolls and candidate lists being prepared are then posted up at the municipal office and copies are supplied on payment to any resident of the municipality who desire them. If any electoral roll or candidate list cannot be completed in due time the roll or list in operation before the time appointed for the completion continues in operation.

4. The general elections must be held on some date between the 1st and 20th of March and the board must determine the exact date at a meeting held in January or February. At the same meeting the board also determines the hours during which, and the place where, if there be a poll, the votes of the electors will be taken, and the day up to which nominations of candidates will be received. This latter date must not be less than 12 days before the time fixed for the poll. At least 15 days before the day of the election the executive officer or secretary of the board has to prepare and sign a notice of the election and of the number of persons to be elected to represent each ward or class, the days on which nominations may be made and the hours during which and the place where, if there be a poll, the votes of the electors of each ward or class will be taken. This notice is published in the same way as the electoral roll.

5. Every candidate must be nominated in writing on a prescribed form of nomination of candidate paper. The paper must be signed by at least five electors and also by the candidate as assenting to the nomination. The electors must of course be persons registered in the electoral roll of the ward or class for which the candidate seeks election. Each candidate must be nominated by a separate nomination paper, but the same candidate may be nominated by as many nomination papers as he pleases. The same elector again may subscribe any number of nomination papers, except that his subscription is inoperative on any nomination paper subscribed by him after he has subscribed as many valid nomination papers as there are vacancies to be filled, (the nomination papers being deemed to be subscribed in the order of their receipt in the municipal office). Every nomination paper has to be delivered by the candidate or by his proposer or seconder to the executive officer, or secretary of the board, by the date fixed for the last day of nomination. On receipt of the nomination papers the executive officer or secretary sends notice of each nomination to the person nominated and inscribes his name on a list of nominations. A person or persons appointed by the board with the approval of the District Magistrate attend at the municipal office on the day next after the last day fixed for the delivery of nomination papers, and decide on the validity of the nomination papers. A nomination paper may only be declared invalid on the ground that a provision of the rules has not been complied with (e.g., if the name of the person nominated is not in the candidate list, if the name of any of the nominators is not on the electoral roll, if the nomination paper is not in the proper form, if it has not been delivered within time, or if any particular elector has already nominated more than the requisite number of candidates). Any order declaring a nomination paper to be invalid may be appealed against within three days to the District Magistrate, who may over-rule the decision.

Five days before the date of the election the executive officer or secretary prepares for each ward or class or for the whole municipality, as the case may be, a schedule of the candidates for election whose nomination is valid and who have not withdrawn from their candidature. This schedule is posted up in the same way as the electoral roll. If the number of candidates who are entered in the schedule and who have not withdrawn their candidature before the time fixed for the poll exceeds that of the vacancies, a poll is taken on the day fixed; if the number of such candidates is equal to the number of vacancies, all such candidates are deemed to be elected; if the number of such candidates is less than the number of vacancies, all such candidates are deemed to be elected and the board by

resolution calls for fresh nominations for the remaining vacancies. If there are no such candidates the board by resolution calls for fresh nominations.

6. The board has to provide one or more suitable buildings or booths as polling stations for each area in which a poll will take place. The board also appoints, with the approval of the District Magistrate, one or more persons as returning officers to preside at each election. Every returning officer is assisted by one or more persons, as he may consider necessary, who are nominated by him and for whose action at the polling station he is responsible. As returning officers boards appoint members of the board who are not engaged in the elections or other prominent citizens or Government servants. There are no restrictions as to the persons who may be appointed except that the approval of the District Magistrate is required to the appointment. If any returning officer refuses to act or becomes incapable of acting before or at the time of election the District Magistrate is authorized to appoint another in his stead. The returning officer is required to keep order at the polling station and to see that the election is fairly conducted; he regulates the number of electors to be admitted at a time and is required to exclude all other persons except the persons nominated to assist the returning officer, the clerks, the candidates and the constables on duty, although any candidate may appoint by power of attorney an agent to appear in his stead at each polling station. Under the old rules a candidate was allowed to be present himself and also to bring with him a number of agents not exceeding two. This power was abused in many cases as bogus candidates were nominated merely for the purpose of assisting one or other of the two genuine candidates at the polling station and as these bogus candidates were allowed to bring two agents the polling station was apt to be overcrowded with a large number of "candidates" and "agents" who were there merely for the purpose of looking after the interests of two candidates.

Votes are given by ballot. They must be given in person at the polling station and no votes can be given by proxy.

When a voter enters a polling booth he goes to a table where there are one or two clerks and gives his name and, if possible, his number on the electoral roll to the clerks. Any candidate or the agent of any candidate may require the clerk or the returning officer to ask any person presenting himself to vote whether he is the person that he pretends to be and whether he has already voted at the election. The returning officer or the clerk may also in cases of doubt put these questions themselves. No person so questioned is allowed to give his vote until he has answered these questions. The clerk then enters the name of the person claiming to vote together with his number on the electoral roll on a list. This entry the voter is required to sign if he is literate, or if he is illiterate to affix thereto his mark or thumb impression which must be attested by a candidate or his agent who is able to recognize the voter, or by the returning officer or one of his assistants. This list is maintained by the clerks in several sheets. When a sheet is signed or marked by the voter it is handed over by the clerk to the voter. The voter then takes the list to the returning officer who, after satisfying himself that the list has been duly signed or marked, states to the voter the number of votes that may be given and the conditions attaching thereto and gives to him the outerfoil of a ballot paper bearing on each side an official mark, at the same time the returning officer notes upon the corresponding counterfoil the number of the voter on the electoral roll and makes a mark against the entry of the voter's name in the voters' list to denote that the voter has received a ballot paper. The voter on receiving a ballot paper proceeds to the place set apart for the purpose and there marks a cross against the name of every candidate for whom he intends to vote; he then folds up the ballot paper so as to conceal his vote and puts the ballot paper into the ballot box, which is kept in charge of the returning officer. If a voter is unable to read the ballot paper or to make a cross thereon, the returning officer asks him whom he wishes to vote for and then marks his vote for him on the ballot paper and places it in the ballot box. If any person who represents himself to be a particular elector

named on the electoral roll, applies for a ballot paper after another person has voted as such elector, he is entitled, after answering any question that the returning officer may put to him, to mark a ballot paper in the same way as any other voter, but this ballot paper is of a colour different from the other ballot papers, and instead of being put in the ballot box is given to the returning officer and endorsed by him with the name of the voter and his number on the electoral roll, and then placed in a separate box. The signature, mark or thumb impression of any such voter is not made on the ordinary list kept up by the clerks, but is made on a separate list maintained in a similar form and bearing the heading "tendered votes list."

In a municipality or ward in which the number of voters is expected to be very large it is customary to distribute the work amongst several returning officers. Each of these returning officers has a separate room and a separate set of clerks, and he deals only with a definite portion of the voters. For example if there are three returning officers, each would deal with one-third of the voters; one dealing with all voters whose names begin with, say, the letters A—J; the second with those whose names begin with the letters K—P, and the third with those whose names begin with Q—Z.

At the close of the poll and in the presence of the candidates and their agents the returning officer opens the ballot box, marks off the ballot papers which are admitted as valid from those which are deemed invalid, endorsing on the latter the word "rejected" and the ground of rejection, counts the valid votes and declares the election of the candidates to whom most valid votes have been given. He then prepares and certifies a return setting forth the number of persons who have voted, the number of valid votes given to each candidate and the names of the persons elected and the number of "tendered" ballot papers. These "tendered" ballot papers are not counted and are not utilized except in connection with election petitions. The return is sent to the executive officer or secretary of the board and the box containing the ballot papers and lists is sealed up and placed in the custody of the District Magistrate who retains them for a year. During that period the ballot papers and counterfoils can only be inspected under the orders of an election court.

7. The election of any person may be questioned by means of an election petition on one of two grounds, either—

Election petition,

(a) that such person committed corrupt practices (the meaning of which is defined), or

(b) that such person was declared to be elected by reason of the improper rejection or admission of one or more votes, or for any other reason was not duly elected by a majority of lawful votes.

As stated above, orders passed by the revising committees and the District Magistrate regarding electoral rolls and candidate lists are final and it is therefore provided that an election may not be questioned on the ground that the name of any qualified person has been omitted from or the name of any unqualified person has been inserted in the electoral rolls or candidate list. An election also cannot be questioned on the ground of any non-compliance with the provisions of the Act or rules or of any error, irregularity or informality unless such non-compliance or error, etc., has materially affected the result of the election.

An election petition must be presented within 15 days after the date of the election. It must specify the grounds on which the election is questioned and contain a summary of the circumstances alleged to justify the election being questioned. A petition may be presented either by a candidate in whose favour votes have been recorded and who claims in the petition to be declared elected, or by ten or more electors of the municipality. Election petitions are heard and disposed of by the Commissioner of the division within which the municipality is situated, but for convenience the election petitions and any application connected therewith may be presented to the Collector of the district, while the Commissioner

is required to hear an election petition within the district in which the municipality is situated. If the election court does not dismiss the petition and finds that the election of any person was invalid it is bound either to declare a casual vacancy to have been created or to declare another candidate to have been duly elected. The court may also, if in the course of hearing a petition it is convinced that corrupt practices prevailed to such an extent as to render it advisable to set aside the whole proceedings, pass a conditional order to this effect and must then give notice to every candidate who was declared elected at the election in question, calling upon him to show cause why the conditional order should not be made final. After hearing such candidates and recalling for the purpose of cross-examination by such candidates any witness who appeared in the case, the court can either cancel the conditional order or make it absolute. An election court may declare any candidate found to have committed any corrupt practice to be incapable, for a period not exceeding five years, of being elected as a member of the board or of being appointed or retained in any office or place in the gift or disposal of the board.

ELECTIONS TO DISTRICT BOARDS.

No qualifications are prescribed by the District Board Act or the rules framed under the Act for either electors or candidates for election in the case of district boards, except that all honorary magistrates having jurisdiction in a tahsil are entitled to vote. The Commissioner determines the actual number of electors for each tahsil on the recommendation of the District Magistrate. The number may not exceed 100 or be less than 25 (exclusive of the honorary magistrates). The number is supposed to vary according to the area and the population of a tahsil and the land revenue assessed on it. The District Magistrate prepares and submits to the Commissioner for approval a list of the persons whom he considers suitable for enrolment as electors. In addition to the honorary magistrates, he is supposed to nominate such other persons "not being less than 21 years of age, and residing, or owning landed property, or carrying on trade or business in the tahsil" as he considers "having regard to their position or to their interest or influence in the tahsil" to be fit persons to act as electors. The District Magistrate is not allowed to consider any person to be fit who is unable to read and write. Apart from these general provisions however the constitution of an electorate is left entirely to the District Magistrate and the Commissioner. The list is prepared once in three years, it being liable to alteration only in cases where the District Magistrate, with the previous sanction of the Commissioner, orders the removal therefrom of the name of any person [who "refuses to act, or becomes incapable of acting, or is declared an insolvent, or is convicted of any such offence, or subjected by a criminal court to any such order as implies in his opinion a defect of character which unfits him to be an elector," or has been disqualified from being elected as a member by an order of an election court] or where there is a vacancy due to the resignation or death of an elector. In such cases the Collector substitutes the names of other persons.

Every elector is eligible for election as a member. The District Magistrate determines the place and time of an election. A month before the election the District Magistrate causes a notice to be posted up at the tahsil specifying the number of persons to be elected and the place at which, and the hours during which the poll will be taken and calling upon all electors to attend and vote at the time and place specified. He causes a copy of this notice to be served on each elector along with a voting paper containing a list of the electors. A member of the district staff is usually appointed to be the returning officer. There is no nomination of candidates; any elector may vote for any elector whom he wishes. The elector writes his name on the voting paper against the names of the persons for whom he intends to vote. The elector has to give his vote at the polling booth and the returning officer has to satisfy himself that each person voting is an elector.

The procedure regarding election petitions is similar to that in the case of municipal boards, except that the election petitions are heard by the District Magistrate or by any magistrate of the first class whom he may appoint.

Memorandum submitted by the Rev. Garfield Williams
to the Franchise Committee.

RESPONSIBLE government implies that the government is responsible to the people. There are only two methods in common use whereby the people can express their wishes to Government: (1) Direct popular action as in the "referendum" and (2) by representation.

The first of these is only mentioned because it is so obviously impossible. No one in his senses would suggest the reference of any political question direct to a provincial electorate based upon the property qualifications suggested for the simple reason that not one of these electors in a thousand would have the haziest idea of what it was all about and what was expected of him. But the obvious impossibility of the referendum surely suggests at least the *extreme difficulties* of the second method, namely representation.

All representative government is based upon the assumption that an election is a more or less trustworthy expression of "public opinion." Representatives must at least represent "the general tone of thought" of their constituents. This implies that there is such a thing as "public opinion," that there is such a thing as "a general tone of thought" which can be represented.

The writer of this note submits that in the electorates suggested no such "public opinion," no such "general tone of thought" exists. Indeed the very conception of public opinion is absent except upon matters of religion and social custom and local affairs connected with the life and labour of the village or *muhalla*. You can have a true public opinion on a question involving apparent harmony or contradiction with "settled convictions." But what "settled convictions" have the electorate that has been suggested on the subjects that are suggested for transference? Public opinion can also be formed where the bulk of the people are in a position to determine "of their own knowledge" or by "weighing evidence" a substantial part of the facts required for a rational decision. Can it be for one moment suggested that our proposed electors are capable, either by the possession of knowledge or by a capacity to weigh evidence (which, for the most part, they will never hear of) of grasping even a minimum of facts required for a rational decision on any single one of the subjects suggested for transference.

It is not that the people are inherently lacking in intelligence. They will frequently in *panchayat*, if certain precautions are taken, come to excellent decisions on matters affecting the life and labour of the village. But in such matters (1) they have a real public opinion and (2) real representation.

The root difficulty in the creation of an adequate electorate is sheer ignorance. The remedy for ignorance is education. The writer of this note, at the very outset, wishes to make it clear that he uses the word "education" in its widest possible sense. He does not mean *merely* literary education.

It will perhaps serve to clarify ideas if we survey from this point of view the history of democratic institutions in Great Britain. English kings before the Norman conquest legislated or taxed only with the help of a national assembly of the wisest and the greatest. These men were, of course, nominated by the king himself. In early Norman times the assembly of the king's councillors formed a Feudal court and were composed of the king's tenants-in-chief. But it should be clearly understood, that these were still the wisest and the greatest in the land and were men who had *the biggest stakes in the progress of the country*. No kind of representation of the people came into existence until the twelfth century when taxation and representation were for the first time connected by Henry II in dealing with the question of the Saladin Tithe. Of course representation was here by nomination. Representation by nomination continued to be the method until Edward I's "Model Parliament" of 1295, which was the first truly national (as opposed to feudal) assembly and where certain representatives were genuinely elected by those whom they represented. But it should be clearly understood that the knights who represented the shires were still drawn from the same class as the greater Barons and were in fact the people who were the most educated of their time and who, at the same time, had the greatest stake in the progress of the country, and that, moreover, the small body whom they represented were a body composed of the most highly educated people of that day and of persons who had the greatest stake in the country. Moreover, the representatives of the cities and boroughs with whom the knights of the shires very soon associated themselves to form "the commons" were, for the most part, representatives of trade communities, who in pursuance of their trades had become men of wide outlook and of mastery in affairs. (It is almost impossible to exaggerate the influence of the trade guilds on the growth of effective representation, in the early years of British democratic institutions.) In the model parliament heads of departments and other exceptional people were, of course nominated by the king. The point we wish to emphasise is this that the model parliament was like the old Saxon Witenagemot, in that it was an assembly of the wisest and greatest whether nominated by the king or elected by those who were the most highly educated person of their day and who, *at the same time*, had the greatest stake in the country, for in the Britain of mediæval times the wisest and greatest were (1) the church dignitaries who were, often great landlords, (2) the landed gentry, and (3) the members of the trade guilds. The growth of the power of parliament and of its gradual ascendancy over the king continued until Tudor times when parliament had become so strong that a new attitude towards parliament on the part of kings became inevitable. During the whole of the sixteenth century a process developed whereby the monarch (for instance by the creation of "pocket boroughs") reduced genuine representation and increased what was to all intents and purposes nomination. In spite of this towards the end of the

(8)

century the predominantly nominated parliament began to get "the bit between its teeth" and the futility of the Stuart dynasty in the seventeenth century completed the process of the ascendancy of parliament. But again it must be clearly grasped that the parliament which was in the ascendant was now, by virtue of the "nominating" principles of the Tudor kings, still a parliament composed of the wisest and the greatest in the land and since taxation was invariably the greatest point at issue as between king and parliament it was particularly those who had the greatest stake in the country who took the most interest in political affairs. To sum up as regards the seventeenth century then, parliament is a parliament of educated men nominated by educated men or largely representing educated men. [I repeat that the word "educated" is used in its widest sense: educated "in affairs" as well as educated "in book knowledge."]

A change takes place in the eighteenth century. Parliament is still to all intents and purposes a parliament the members of which are nominated. The difference is this that now the members are nominated by the leaders of the great political parties rather than by the kings. There is, of course, no doubt that this was a step in the right direction. The nominees of a Walpole, a Lord North, a Chatham, a Pitt or even a Bolingbroke would inevitably be better men than the nominees of a Hanoverian king. The great cities still in many cases send genuine representatives, but these representatives are men of affairs, the representatives of a body of electors who are also men of affairs and the eighteenth century parliament was as a matter of fact for the age in which he lives very largely what Burke said it was, a parliament whose representation had been found "perfectly adequate to all the purposes for which the representation of the people can be desired or devised," the fact being that it really was a parliament composed on the whole of the ablest people in the land and representing the two classes of people that counted most in the State, namely, (1) those who had the greatest amount of book education, and (2) those who had the greatest amount of education in practical affairs. Towards the end of the eighteenth century and during the first thirty years of the nineteenth century owing largely to the industrial revolution a new group of people who had a right to representation came into existence. They had a right to representation because they were men of affairs, men with a stake in the country, men who owing to the growth of education were becoming more and more literate, men who had been awakened so as to take their share in public affairs by the ideals of the French Revolution. This was the great middle class. The point I wish to make is this that the 1832 Reform Bill became a necessity because through education in book knowledge and in affairs a middle class, unrepresented and capable of representation, had come into existence and that not until through the widest kind of education it had come into definite existence was it or did it need to be represented. What, then, did the 1832 Reform Bill do? It enfranchised a new group which, in the meantime, had become educated

and which was recognized to possess a genuine stake in the development of the country. It must be clearly grasped what was the nature of this enfranchisement which resulted from the Reform Bill. It was an enfranchisement of men who, in the fullest sense of the word "education," were the most educated group in the country not up to that time represented. By this time, owing to the work of Lord Brougham of Bell and Lancaster, education had become a living issue. Furthermore, owing to the vast and rapid industrial growth of the country the industrial worker was rapidly getting a stake in the country that he had hitherto not possessed. The result was that in a little over thirty years more still another class of persons had come into existence who owing to their educational growth and who owing to their power in the matter of industrial development were recognized to have a right to representation. So in 1867 the city working man is enfranchised and the great period of Gladstone commences. In the meantime education is spreading with great rapidity and by 1884 the time has come to enfranchise the rural working man. Up to this time capacity fairly and adequately to register a vote has been the criterion which has been used when any question has arisen in regard to the enfranchisement of new bodies. A property qualification of some sort or kind has always been in existence. The right to vote has never been personal. It has always been dependent upon two things: (1) the possession of property, and (2) the growth of general education. It is not until after 1884 that an attempt is made to equalise electoral districts on a numerical basis. It was not until therefore the last quarter of the nineteenth century that the ancient idea of the representation of communities or organized bodies of men gave way to the representation of a number of men grouped together only for the purposes of election, and the point which I wish to emphasize is this that the first method could only give place to the second method after education had become practically universal, and the second point which I wish to make out is this that in our own history the increase of the number of communities or organized bodies represented has in the last analysis depended solely and only on the increase of the general education of such communities or such organized bodies.

To sum up, the growth of democratic institutions in Great Britain can be historically divided into the following stages:—

- (1) The king's "darbar" composed of the wisest and greatest nominated by himself—a type of council lasting several centuries until the Norman conquest.
- (2) The Feudal court, where the wisest and greatest who were nominated to advise the king were the king's tenants-in-chief and on this account had the greatest stake in the progress of the country. This type of council lasted for more than two centuries.
- (3) The king's council commences to have representatives not only nominated by the king but also elected by people, but by people, let it be

emphasised, who because of their position and the stake that they had acquired in the country had become a power in the land and could not be neglected by the king. It was because of the ability and the genuine knowledge and power which these representatives possessed that the Plantagenet parliament gained such power over the king. It is, of course, nonsense to think of this Plantagenet parliament as representing the masses of the people. Its members were the most highly educated men of those days and its elected representatives were elected by those who because of their knowledge of affairs could not any longer be kept tied to the leading strings of the great barons. This period lasted for about two centuries.

- (4) The period of the Tudor kings when Parliament had become so strong that the king had to rule by manipulating parliament. This he did by various expedients, such as the creation of rotten boroughs which practically gave him the power of nominating members. But, again, let it be clearly understood that the parliament was composed of the most highly educated people in the land and if it was representative at all it was representative of those who were the most highly educated and who had the greatest stake in the country, namely the great landed proprietors and the great trade corporations. This period lasted for over a century.
- (5) The period of the seventeenth and eighteenth centuries, when a process goes on which ultimately leads to the power of control over parliament being vested in the great landed proprietors or their representatives rather than in the monarch. Still parliament is a parliament of educated gentlemen who represent the most educated people in the country and those who have the greatest stake in its affairs. This period lasted with certain breaks for about two centuries.
- (6) The period of the French Revolution and the Industrial Revolution and the growth of a new body who become educated and had acquired a stake in the country, namely the middle classes. This period terminates with the Reform Bill, lasting something under fifteen years.
- (7) The period known as the great Victorian age, when owing to the rapid spread of education and industry large masses of the people first in the towns and then in the country gain that amount of education and knowledge of affairs which gives them the right to a share in the control of the country and its destinies. The extension of the franchise was gradual and culminates after about eighty years of development in the enfranchisement of women at the time of the great European War.

The first thing that one notes in reviewing the history of democratic institutions in Great Britain is the length of the process. The second thing that one notices is that all the way through the expansion of the process has been dependent upon the growth of education, using education to include education in affairs as well as education in book knowledge.

Now let us come back to the state of affairs which exists in India to-day. The first thing one notices is that we are attempting to do in years what has taken centuries to accomplish in Great Britain, and the second thing that one notices is that (1) the great landed proprietaries who have the greatest stake in the country owing to the social system that pertains in India have not and, as a class, never have had a knowledge of affairs in the ordinary sense of the expression, nor have they ever had education in book knowledge. The administrative work of the great zamindars of India has always been undertaken by their servants and there is probably no body of landed proprietaries in the history of the world who have taken so little interest in the affairs of their nation, and (2) that owing to the fact that India is so predominantly composed of rural communities such industries as produced the great guilds of mediaeval cities have been educationally effective in India to a much more limited extent than in other countries and have consequently failed to produce great men of affairs in the towns; and that even where such men of affairs have come into existence, owing to the social system of the country, this class has never been given the privilege and has indeed never desired to obtain the privilege either of education in book knowledge or of education in affairs outside of the narrow circle of its own commercial interests, and as yet there is no sign of any industrial revolution which will produce a new class with wider interests. The great mass of those educated in book knowledge in India is a mass of people who have no real stake in the country. A century ago they were the servants of the great zamindars. To-day owing to the growth of our bureaucracy and our legislative system they have largely left the service of the old zamindars and their education in affairs, such as it is, is circumscribed by the painfully narrow and increasingly narrowing boundaries of the Government office or Law court. What must be the result? If representative institutions are now forced upon India the ordinary property qualifications suggested will produce an electorate which, owing to its deficiency in education, is quite incapable of having any true public opinion or of registering a satisfactory vote. Such an electorate will be quite incapable of grasping the issues placed before it, and its determination as to who shall represent it will be based either on the rhetorical power and the vote-collecting machinery of the *vakil* or the money-lending power of that great zamindar or *bania* who has the greatest power of oppression over the greatest number of persons. The voters, if they take the trouble to vote at all, will be influenced by three considerations, and by three considerations only. The first consideration will be as to whether the man who asks for their vote has any financial control over them. If he is a great money-lender, and if many of them are, as it were,

"in his pocket" they will vote for him no matter how ignorant he is. The second consideration will be really based upon "the capacity for bluff" which the man who is trying to acquire their vote possesses. If he happens to be one of the biggest vakils of the district they will stand in awe of him and very much desire to have him on their side, and they will certainly vote for him no matter what he stands for, unless his opponents are men to whom they owe money or to whom their friends owe money. Incidentally many of the vakils are also landed proprietaries, who as such have many petty zamindars "in their pockets." The third question which will arise in the minds of some of the electors, though now-a-days to a decreasing number, is to desire a vote for the man whom "the Sarkar" is thought to want, and they will go to the English Collector and ask him whom they shall vote for. The English Collector, being a straight man will refuse to tell them whom they ought to vote for, with the result that this steadying influence will rapidly pass away. Let me again try to sum up. The suggested electorate will vote for one of three people:—

- (1) the money-lender who has the greatest control over it,
- (2) the vakil who has the largest local connection,
- (3) representatives whom the Raj is supposed to want.

In not one case in a hundred will there be any public opinion which suggests one man rather than another. Not in one case in a hundred will an elector weigh the pros and cons of the policies of individuals or of parties, and register his vote accordingly. The fact of the matter is that the education both in book knowledge and in affairs of the proposed electorate is such as to make their efficient representation an absolute impossibility. I submit then that all historical analogy is opposed to basing any kind of serious responsible government in India upon the franchise suggested.

There is, however, one historical analogy which I have deliberately left until the last, because it seems to me to provide the one ray of hope. It is the historical analogy afforded by the Meiji era of Japan. Before going into this in greater detail I want however to say that there is probably no subject upon which more incorrect ideas exist among politicians in India than the present political condition of Japan. The idea that modern Japan is a democratic country in the sense that Great Britain is, is of course sheer nonsense. That democratic institutions are growing and growing with amazing rapidity in Japan no one will deny. But that the Japanese Government is in any sense a popular Government and in any sense represents an opinion shared by the mass of the peoples of Japan, those who know anything about it will at once deny. Indeed, this is the very reason why an analogy taken from Japan affords such an excellent analogy in the case of the present situation in India, for the democracy of Japan is much more like the democracy which is suggested by the Montague-Chelmsford reforms. It is the beginning of responsible government. It is not the full fruition of responsible government.

And just for this very reason it does afford an excellent analogy. Well then, in the year 1868 the Meiji or "the enlightened government" came into existence and Japan with startling suddenness decided to embark on the tremendous journey of responsible government. On the 6th April, 1868, the Emperor summoned the Imperial Princes and high officials of his court in the throne room of the old Palace of Kyoto and he swore the memorable oath known as the Imperial Oath of five articles, setting forth the policy that was to be followed thereafter by him. I append here the translation of these five articles by Professor N. Hozumi of the Imperial University of Tokyo as the most literal translation:—

- (1) Deliberative assemblies shall be established, and all measures of Government shall be decided by public opinion.
- (2) All classes, high and low, shall unite in vigorously carrying out the plan of government.
- (3) Officials, civil and military, and all common people shall, as far as possible, be allowed to fulfil their just desires, so that there may be no discontent among them.
- (4) Uncivilized customs of former times shall be broken through, and everything shall be based upon just and equitable principles of nature.
- (5) Knowledge shall be sought for throughout the world, so that the welfare of the Empire may be promoted."

To me the most memorable thing in these five articles is the realization on the part of the leaders of old feudal Japan that *the fifth of these articles was of the very essence of their scheme of reformation*, and the one thing which seems to me absolutely fatal about the whole Montague-Chemsford scheme and which in particular makes all proposals for the formation of adequate electorates absolutely hopeless, is the absence of this great fifth article in the Montague-Chelmford proposals. The Japanese were faced with a great new vision of enlightened government. They realized that Western education in its very widest sense was of the very essence of their great scheme of progress, and at the very outset they placed it among the five essentials. Deliberative assemblies, as far as possible popular representation, social reform and universal knowledge—these few things were to be the basis of Japanese political reformation. Those of us who have seen anything of the educational system of Japan will be the first to recognise how magnificently education was allowed to take and did in fact take its part in the great Japanese enlightenment. This is not the place to go into this question in detail, but the writer of this note wishes to place it on record, and he does so without fear of contradiction, that whatever successful political expansion has taken place in Japan in the last 50 years is largely due to her deliberately and humbly sitting at the feet of the great intellectual and industrial *gurus* of the West and to the fact that never for one moment did she believe that she could attain to Western

democratic institutions without the universal dissemination of Western knowledge. I therefore believe (1) that the present suggestion of handing over any large section of the Government of India to such representatives as will be selected by such an electorate as that which has been indicated is simply bound to end in failure; (2) that this failure could largely have been prevented had responsible government been preceded by an era of vast educational and industrial reform; and that had there been a previous era of industrial and educational reform, responsible government would by now not only have become a necessity, but would have been absolutely safe; (3) that though it will be highly dangerous (more dangerous than the Japanese experiment, because infinitely larger than the Japanese experiment, and undertaken by a race not as apt to new ideas as the Japanese) I believe that the experiment of responsible government may be made and may be commenced at once on the lines suggested, provided that, and only provided that, *along with it* there goes a supreme endeavour to produce a vast and immediate reconstruction of education in India and an attempt is made even from without to stimulate something corresponding to the industrial revolutions which in the West have preceded responsible governments. Without such vast educational reconstruction and without such industrial revolution I am convinced from historical analogy and from personal observation that the Reform scheme can only end in absolute disaster because the creation of an adequate electorate and its representation by responsible persons is a sheer impossibility.

Memorandum submitted by the Rev. Garfield Williams
to the Subjects Committee.

In the Memorandum which I have submitted to the Franchise Committee and a copy of which is appended and which should be read before this present Memorandum, I have given reasons why in my opinion the whole failure or success of any schemes for responsible government in India depend in the last analysis upon an immediate educational reconstruction in India. I have there given reasons why I believe that in any case the institution of such large reforms will be fraught with great danger and why, without complete educational reconstruction, the reforms must lead to inevitable disaster.

I am aware that all will not agree with me in this apparently pessimistic conclusion, but I wish to say at the outset that as far as I am concerned my only hope of any scheme of Indian Constitutional Reform being successful depends on a concomitant reform of education unprecedented in any other country except possibly in Japan. I know that I shall be told that the money is not forthcoming; and the money cannot be forthcoming. My answer is that if this is true, then it will be madness for us to pursue the vast constitutional reforms suggested in the Montagu-Chelmsford Report. I shall be told that even if the money were forthcoming for a vast scheme of educational reform that the men are not forthcoming. I reply that if this is true then it is madness to continue to put the Montagu-Chelmsford Reforms into action. My contention is nothing less than this:—that vast educational reconstruction is of the *esse* and not the *bono esse* of Indian political reconstruction. If I am right in this contention then the most vital question which the Subjects Committee has before it is the question of the Transfer of Education, because, on the decision that is made, the success or failure of the whole reform scheme may depend.

To put the matter bluntly;—If Excise is made a Transferred Subject it may or may not be bad for the Excise department, but however bad it is for the Excise department its badness will not wreck the whole prospect of constitutional reforms in India. It may or may not be bad to Transfer Education (this remains to be decided) but if the result of transference be not a vast and potent reconstruction of education in India it will be absolutely fatal to any scheme of Indian Constitutional Reform. I have deliberately put this as strongly as I know how to put it, because I believe that when we come to deal with education we come to deal with the most crucial problem of all.

Let me put the matter in another way. If the control of the Police were transferred, and as a result disorder grew rife in the land the very greatness of the disorder produced would necessitate a reform in the administration of the Police. If the control of the Military were handed over as a transferred subject and any failure arose therefrom the failure would be so obviously dangerous that

necessity for remedying the defect would soon become apparent to all. But if education be transferred and if either by sins of omission or sins of commission a vast growth in the amount and the quality of education be not realized, the results are not at once tangible like the results accruing from bad administration of the Police or the Military. Disease in national education is infinitely insidious as well as infinitely terrible in its results. It is a disease that goes on year after year without the nation realizing its presence, but which leads finally to a death of the nation which is utterly inevitable. I therefore at the outset plead for a study of the pros and cons concerning the transference of education solemnized by a conviction on the part of those who study the question that they are dealing with something which is truly vital to the problem of responsible government. We are dealing with a subject in which we cannot afford under any circumstances to make mistakes. Here a mistake is irretrievable, in other subjects the mistakes are retrievable. In the matter of education the ten years that intervene between the commencement of the reforms and the time of the arrival of the first periodic commission will be a period which will determine the life or the death of responsible government in India. For the next ten years must see on a vast scale a development of general education and of that kind of education produced by industrial revolution if any scheme of constitutional reform is to be at all practicable. It is because I believe that the matter is as serious as this that I propose to speak with the greatest openness and frankness and should I say or write anything which the committed feel to be unfair or tactless, I beg that they will realize that I speak under the tremendous conviction that I have mentioned above.

It will perhaps clear the ground if I say at the outset that I agree with the proposal that *if you hand over secondary education as a transferred subject* you must also hand over University education and all other education. No greater harm can be done to education than to deal with it in watertight compartments. Because we have so dealt with it in the past, we have fallen into innumerable mistakes. Education is one whole, and to split it up into parts means to break up education. Personally I would like to see all education from the lowest stage to the highest university stage for the next ten years under one control. I would like to see it all a reserved subject. On the other hand, I do see several advantages in handing over primary education as a transferred subject always provided that the Government can control its development by the possession of money which can be used to give large grants-in-aid which are dependent upon the satisfaction of its own independent inspectorate. In other words if primary education is transferred there must be some form of administration in primary education which while giving a large measure of initiative to local bodies retains the control of power in the hands of Government and makes it possible for them to see that primary education takes its proper place in a whole scheme of

national education. When it comes to the transfer of secondary and university education I am bound to say that I believe that such a transfer within the next ten years would simply mean the failure of the whole scheme of Indian Constitutional Reform; and it is because I believe this and because I am in favour of Indian Constitutional Reform, that I want to plead with all the power that I possess for the reservation of secondary and university education by the Government. On the other hand I feel it only right to say that if Government says that it cannot see its way to finding the money and the men for a vast scheme of educational reconstruction I see absolutely no reason why secondary and university education as at present organized and financed should not be handed over as a transferred subject. The reason for non-transference would be just this:—that Government proposed to do in the next ten years the biggest thing that it has ever done for India in respect of education, that Government proposed to concentrate all the energy and all the genius that it could gather for the solution of this problem. That in the same way as Government has put all other issues on one side and has taxed and has borrowed in an unprecedented way for the prosecution of the war in the last four and a half years, so Government proposes to give other considerations a secondary place and if necessary to tax and to borrow and concentrate her energies in an unprecedented way upon a reconstruction of Indian education within the next ten years and that for this reason she does not propose to transfer education, until the education she transfers is an education which can be trusted to make India a great modern nation. Such a statement presupposes a belief on my part that as a transferred subject, even with the money and with the power, this educational reconstruction could not be brought about. It is concerning this pre-supposition that I must speak with the utmost frankness even at the expense of winning the disapprobation of many Indian gentlemen whose political sympathies and aspirations I largely share.

I have been over ten years in India and during that ten years my study of Indian affairs has largely been concentrated on educational questions. I have tried, as far as in me lies, to understand the Indian standpoint in regard to education. And after ten years, I have come to the conclusion that the Western ideals, which are least understood by the Indian, are Western Educational ideals. In the first place, I have noticed from personal observation a most extraordinary difference on this point existing as between the Japanese and the Indian politician. The Japanese politician at the very outset of the Meiji era grasped the fact that the one thing that he had not got in his own country and the one thing that he must get, if he was going to succeed, was not merely the appearance of Western education but the vital characteristics of Western education. One of the superb things about the Meiji era of Japan has been the deep humility of the Japanese in the matter of education. They have deliberately travelled in vast numbers throughout the length and breadth of the world to

study the most vital characteristics of Western education and to bring them back to their own land and in their own land to fit them in to the new civilization which they were building up. They have been always absolutely discontented with anything in the nature of a superficial approximation to Western education. Their leaders have avoided anything that savours of "eye-wash" in education. When they have sent their students abroad to study the education of the West they have sent them not for a month here and a month there, but they have sent a man here and a man there to settle down for years in one place to imbibe everything that he could possibly imbibe of the educational ideals of that place. They have always looked upon the Western educationists as their *gurus* and have been content to become their *chelas*, in no spirit of subservience, indeed in the hope that they might not only utilize but perhaps ultimately improve upon what they would learn in the West. They were determined that before they started to make their new educational system indigenous they would learn all that the West had to teach them and they have really done this. Now in my ten years in India I have noted the exactly opposite spirit in the Indian politician and in the Indian educationist. This is not the place to attempt to find the reasons for this. I do not think as a matter of fact that the reasons are very hard to find. India has had a great past, and like all countries that have great pasts she suffers as well as gains from that past, and one of the ways in which it seems she suffers most is in the possession of a kind of intellectual arrogance that will not tolerate a position of subservience in intellectual things to a member of a class or to a race other than her own. In this I may be wrong, but in respect of the fact of her attitude to the educational ideals of the West I am convinced I speak the truth. On the other hand, for economic reasons a certain semblance of Western education has become inevitable to her if she was to make an appearance of progress. The result has been that her leaders have been seemingly content with the mere externals of Western education and have never taken the trouble to get down to the ideals which lie at the back of that education. As a result, the Western education that has been controlled by Indians has been largely a superficial thing. To use a colloquial expression much of it has seemed to me to be pure "eye-wash." I have for years been studying the remarks upon education made by Indian leaders both in the press and on the platform and the result has been to me disappointing past all belief. Again and again it has seemed to me that they have not grasped even the elements of the problems at issue, and that what they have been aiming at all the time has been simply the largest possible disposal over India of an appearance of Western culture without any attempt to bring to India and to make indigenous within India the essential ideals which lie at the back of all that is best in Western education. If however one's opinion was merely based upon writings in the press and upon speeches on political platforms, I should not feel that I had a right to speak as strongly upon this subject.

as I am prepared to speak. It is because I have not only heard these things said but I have seen them acted before my very eyes. I have tried to make a study of educational institutions in Bengal, where Indian control of so-called Western education is at its greatest, and I am prepared to say after having made that study that the result of this Indian control of so-called Western education has been nothing less than a national disaster.

I have not yet seen the report of the Calcutta Universities Commission and doubtless that report will be pertinent to this question. So I need not further dilate on the subject of education in Bengal. But I would respectfully ask the committee to take into their gravest possible consideration the findings of the Calcutta University Commission, for those findings will not only give them an indication of the present condition of so-called Western education in the most educated province of India: they will also give them an indication of the circumstances which have brought about what I believe to be something not very far short of educational disaster.

May I also refer the committee to other reports such as the educational section of the Bengal Administration Report and to the reports of the Director of Public Instruction in Bengal. I have tried to study this question at first hand and I have tried to be unbiased, and I have done my best to study the problem from the point of view of the Indian and I am convinced that the state of education in Bengal is of itself a sufficient argument for the reservation of secondary and university education under the Montagu-Chelmsford Reform scheme.

But to come nearer home.—For eight years I have been engaged in educational work in these provinces. I have I think had unusual opportunities of seeing and learning something of the administration of education in schools and colleges in these provinces. I can only say and I say it with deep regret, and not with any sense of national pride, because in point of fact, I believe that it is partially due to the failure of our own administration in the past to give education its proper place,—I can only say that wherever I have come across colleges or schools controlled by Indians I have almost without exception come across bad colleges or schools. I know that I shall be bitterly attacked for making this statement and yet I feel absolutely compelled to make it. I feel absolutely confident that if I was dealing with the Japanese people rather than the Indian people, the Japanese would be the first to admit the truth of my statement and would immediately ask "what shall we do in order to improve ourselves." It is for this reason that I have hope for Japan and that I feel hopeless concerning India. India's national pride will not permit her to see failure when failure stares her in the face. As I have stated this problem I feel that I have laid myself open to the accusation of proposing an impossible solution. If Indians have made such a mess of Western education in the past how can you hope for any educational reform in the near future whether it be controlled by Government or not. My answer is this:—That

although there has been this failure in the past, I have not given up hope concerning the Indian educationist, nor have I given up hope that even the Indian politician may some day recognize the difference between the gold and the dross in education.

What we need in India is the preaching of a great educational evangel. We need to send out as the Japanese have done hosts of young Indians to learn the ideals of the education of the West and we need to bring these men back filled with a vast enthusiasm for what they have seen and for what they have been able to do. I for one am absolutely convinced that if Government would reserve this subject for ten years and would determine within that ten years to do something unparalleled in educational reconstruction and in particular would determine not so much to import large numbers of Englishmen to educational posts in India, but rather to train young Indians on a vast scheme for real educational leadership, that within ten years we should have placed Indian education on such a footing as to be able to hand it over to the control of Indians themselves with a clear conscience and with the certainty that by far the greatest power which can be given to Indians will be given to men who have been so trained that they can use it for the building up of Indian democratic institutions upon a foundation which shall be secure for all time.

Memorandum for the Committee

ON

Franchise.

Memorandum by the Hon'ble Syed Raza Ali, B.A., II.B.,
Vakil of the N.W.P. High Court at Allahabad, Member
of the United Provinces Legislative Council, Member
of the Council of the All-India Moslem League, and
Vice-President of the Provincial Moslem League of
the United Province.

Memorandum for the Franchise Committee.
The United Provinces Legislative Council.

F R A N C H I S E .

I welcome the proposal to abolish the system of indirect elections. The qualifications of voters should as far as possible, be uniform not only in the various parts of the United Provinces but in the communal as well as general electorates. A man having more than one qualification should have only one vote in a single constituency.

I would give a vote to the following:-

1. A tenant who pays an agricultural rent of Rs 50/- per annum;
2. A landholder who pays land revenue of Rs 25/- per annum or who owns revenue-free property assessed to a nominal revenue of Rs 25/- per annum;
3. A tenant or occupier of a house with an annual letting value of Rs 36/-;
4. A payer of income-tax,
5. A payer of Rs 8/- per annum in local taxes which are in force at present or may be imposed hereafter; and
6. A person above 21 years of age who has passed the Matriculation examination or any examination equivalent thereof held by an Indian University.

It is not necessary to distinguish between urban and rural areas in the matter of voter's qualifications. Some municipalities may have to be grouped with rural areas. On the other hand there will generally be found a number of tenants living in urban constituencies. To differentiate between the qualifications of urban and rural electorates will lead to unnecessary complication.

Strength of Council.

I propose that the United Provinces Council should consist of 180 members of whom 150 should be elected. My proposal is based on two grounds. First the common object of the Government and the people being the progressive realization

TABLE VI.—STATEMENT OF ALL TENANTS.

Division.	District.	Paying in rent from—																
		Hindus.				Muhammadans.				Others.				Totals.				
		Re. 1 to Rs. 24.	Rs. 25 to Rs. 49.	Rs. 50 to Rs. 99.	Rs. 100 and over.	Re. 1 to Rs. 24.	Rs. 24 to Rs. 49.	Rs. 50 to Rs. 99.	Rs. 100 and over.	Re. 1 to Rs. 24.	Rs. 25 to Rs. 49.	Rs. 50 to Rs. 99.	Rs. 100 and over.	Re. 1 to Rs. 24.	Rs. 25 to Rs. 49.	Rs. 50 to Rs. 99.	Rs. 100 and over.	
MEERUT.	Dehra Dun...	6,656	1,262	721	356	931	244	193	112	36	14	12	11	7,623	1,520	926	479	
	Saharanpur ...	14,972	7,949	8,050	6,947	6,055	3,757	3,545	3,167	33	3	3	1	21,060	11,709	11,598	10,115	
	Muzaffarnagar ...	18,568	7,993	8,568	7,722	5,495	2,723	3,016	2,982	4	5	7	5	24,067	10,721	11,591	10,709	
	Meerut ...	46,112	21,006	19,477	14,325	10,673	4,654	4,036	2,951	17	5	2	7	56,802	25,665	23,515	17,283	
	Bulandshahr ...	45,395	30,046	36,246	29,463	8,773	5,186	4,411	3,528	111	62	35	17	54,279	35,294	40,692	33,008	
	Total ...	131,703	68,256	73,062	58,813	31,927	16,564	15,201	12,740	201	89	59	41	163,831	84,909	88,322	71,594	
AGRA.	Aligarh ...	17,762	12,026	17,591	21,110	1,449	918	1,090	1,321	4	...	1	4	19,215	12,944	18,682	22,455	
	Muttra ...	42,033	13,361	9,590	5,949	3,022	860	551	282	9	...	4	3	45,064	14,221	10,145	6,234	
	Agra ...	42,039	20,881	18,175	9,435	1,749	635	556	268	19	7	3	9	43,807	21,523	18,734	9,712	
	Mainpuri ...	42,744	16,016	12,234	6,167	913	269	190	66	18	3	3	...	43,675	16,288	12,427	6,233	
	Etah ...	32,485	16,326	13,773	6,695	3,016	1,072	650	331	91	17	8	3	35,592	17,415	14,431	7,029	
	Total ...	177,063	78,610	71,363	49,356	10,149	3,754	3,037	2,268	141	27	19	19	187,353	82,391	74,419	51,643	
ROHLIKHAND.	Bareilly ...	57,735	27,275	14,302	3,213	12,577	4,750	2,340	561	105	14	2	1	70,417	32,039	16,644	3,775	
	Bijnor ...	15,765	8,905	11,919	9,681	5,551	2,585	2,770	1,935	12	8	6	...	21,323	11,498	14,695	11,616	
	Budaun ...	64,941	25,264	12,891	3,827	8,478	2,821	1,428	492	61	22	6	1	73,480	28,107	14,325	4,320	
	Moradabad...	43,994	23,661	18,137	7,617	17,238	9,533	6,752	2,697	237	55	28	5	61,469	33,249	24,917	10,319	
	Shahjahanpur ...	78,685	13,492	5,381	1,068	6,966	1,503	634	193	59	7	1	...	85,710	15,002	6,016	1,261	
	Pilibhit ...	32,160	14,052	6,318	1,109	4,001	1,437	785	185	16	4	...	...	36,177	15,493	7,103	1,294
	Total ...	293,280	112,642	68,948	26,515	54,811	22,629	14,709	6,063	490	110	53	7	348,581	135,388	83,700	32,585	
ALLAHABAD.	Farrukhabad ...	47,512	15,672	9,067	3,125	3,636	1,005	554	235	31	3	1	1	51,179	16,680	9,622	3,361	
	Etawah ...	44,412	19,914	14,054	5,360	1,050	406	209	80	...	2	2	1	45,462	20,322	14,265	5,441	
	Cawnpore ...	69,026	31,999	17,981	4,365	2,544	971	538	104	3	3	4	3	72,173	32,973	18,523	4,472	
	Fatehpur ...	32,321	16,701	10,095	2,964	2,992	1,442	883	242	1	1	1	...	35,314	18,144	10,979	3,206	
	Allahabad ...	77,897	31,300	14,356	4,374	8,519	3,317	1,522	485	42	16	18	12	86,458	34,633	15,896	4,871	
	Total ...	271,768	115,586	65,553	20,188	18,741	7,141	3,706	1,146	77	25	26	17	290,586	122,752	69,285	21,351	
JHANSI.	Jhansi ...	54,280	7,540	2,580	659	622	119	57	15	11	2	...	...	54,913	7,661	2,637	674
	Jalaun ...	19,927	9,275	5,964	2,352	792	346	177	71	3	...	...	...	20,722	9,621	6,141	2,423
	Hamirpur ...	29,459	11,096	5,521	1,507	1,318	652	230	67	6	5	1	...	30,783	11,753	5,752	1,574	
	Banda ...	57,309	10,093	3,842	877	2,878	534	174	47	5	...	...	...	60,192	10,627	4,016	924
	Total ...	160,575	38,004	17,907	5,395	5,610	1,651	638	200	25	7	1	...	166,610	39,662	18,546	5,595	
BENARES.	Benares ...	47,589	10,974	4,971	1,555	1,401	279	159	46	5	1	2	1	48,995	11,254	5,132	1,602	
	Mirzapur ...	52,820	9,977	3,991	1,314	1,341	291	81	25	8	5	3	5	54,169	10,273	4,075	1,344	
	Jaunpur ...	74,253	16,291	6,097	1,486	4,536	761	316	124	1	1	1	4	78,790	17,053	6,414	1,614	
	Ghazipur ...	53,051	11,738	4,476	1,251	2,902	701	271	116	31	7	2	1	55,934	12,446	4,749	1,368	
	Ballia ...	49,592	11,045	4,346	1,586	1,902	216	75	23	21	2	...	...	51,515	11,263	4,421	1,609
	Total ...	277,305	60,025	23,881	7,192	12,082	2,248	902	334	66	16	8	11	289,453	62,289	24,791	7,537	
GORAKH-PUR.	Gorakhpur ...	370,910	35,301	6,128	685	32,556	3,272	536	44	116	19	4	7	403,582	38,592	6,668	736	
	Basti ...	138,199	23,291	5,682	995	25,306	6,311	1,914	478	...	...	...	...	163,505	29,602	7,596	1,473
	Azamgarh ...	121,019	18,175	4,357	761	13,054	2,388	579	108	1	4	2	2	134,074	20,567	4,938	871	
	Total ...	630,128	76,767	16,167	2,441	70,916	11,971	3,029	630	117	23	6	9	701,161	88,761	19,202	3,080	
KUMAUN.	Naini Tal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Almora ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Garhwal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total, Agra ...	1,941,822	549,897	336,881	169,900	204,236	65,958	41,222	23,381	1,117	297	172	104	2,147,175	616,152	378,275	193,385	
LUCKNOW.	Lucknow ...	37,470	18,923	11,065	3,103	2,889	1,339	681	238	3	...	2	1	40,362	20,262	11,748	3,342	
	Unao ...	90,260	30,896	11,965	2,316	5,111	1,334	455	149	1	...	...	...	95,372	31,730	12,420	2,465
	Rae Bareli...	66,367	31,311	15,294	2,835	4,573	1,790	740	120	2	3	1	1	70,942	33,104	16,035	2,956	
	Sitapur ...	75,257	43,584	29,090	8,191	9,689	4,343	2,246	529	5	2	...	...	84,951	47,929	31,336	8,720
	Hardoi ...	98,011	37,826	17,577	4,321	7,371	2,662	1,278	323	18	18	1	3	105,400	40,506	18,856	4,647	
	Kheri ...	86,889	32,075	15,757	3,625	12,068	3,762	1,460	330	79	16	6	4	99,036	35,853	17,223	3,959	
		Total ...	454,254	194,115	100,748	24,391	41,701	15,230	6,860	1,689	108	39	10	9	496,063	209,384	107,618	26,089
	Fyzabad ...	108,340	21,230	8,213	1,399	9,168	1,930	574	100	11	3	1	...	117,519	23,163	8,788	1,499	
	Gonda ...	105,888	31,741	12,482	2,978	16,051	5,446	2,251	672	4	...	1	2	121,943	37,187	14,734	3,652	
	Bahraich ...	74,238	30,491	17,052	6,183	15,046	5,756	2,947	1,162	10	1	...	...	89,294	36,248	19,999	7,345
Sultanpur ...	85,370	22,732	7,507	1,437	8,725	2,718	1,064	217	1	1	1	1	94,096	25,451	8,572	1,655		
Partabgarh ...	69,661	23,326	9,172	2,377	5,957	2,314	1,020	233	1	...	...	...	75,619	25,640	10,192	2,610	
Bara Banki ...	75,529	32,326	23,186	7,207	9,863	3,509	1,748	408	1	2	...	2	85,393	35,837	24,934	7,617		
	Total ...	519,026	161,846	77,612	21,581	64,810	21,673	9,607	2,792	28	7	3	5	533,864	183,526	87,219	24,378	
	Total, Oudh ...	973,280	355,961	178,360	45,972	106,511	36,903	16,464	4,481	136	46	13	14	1,079,927	392,910	194,837	50,467	
	GRAND TOTAL ...	2,915,102	905,858	515,241	215,872	410,747	102,861	57,686	27,862	1,253	343	185	118	3,227,102	1,009,062	573,112	243,852	

TABLE VII.—STATEMENT OF SECURED TENANTS.

Division.	District.	Paying in rent from—															
		Hindus.				Muhammadans.				Others.				Totals.			
		Rs. 1 to Rs. 24.	Rs. 25 to Rs. 49.	Rs. 50 to Rs. 99.	Rs. 100 and over.	Rs. 1 to Rs. 24.	Rs. 25 to Rs. 49.	Rs. 50 to Rs. 99.	Rs. 100 and over.	Rs. 1 to Rs. 24.	Rs. 25 to Rs. 49.	Rs. 50 to Rs. 99.	Rs. 100 and over.	Rs. 1 to Rs. 24.	Rs. 25 to Rs. 49.	Rs. 50 to Rs. 99.	Rs. 100 and over.
MEERUT.	Dehra Dun...	3,813	843	595	214	533	147	149	44	19	32	23	28	4,365	1,022	767	286
	Saharanpur ...	8,636	5,760	5,672	4,499	4,310	2,713	2,683	1,886	1	1	9	4	12,947	8,479	8,364	6,389
	Muzaffarnagar ...	8,398	4,469	4,884	3,481	2,995	1,785	1,626	1,343	...	1	...	...	11,393	6,255	6,510	4,824
	Meerut ...	24,230	11,842	11,311	7,972	6,051	2,479	2,033	1,501	7	2	1	1	30,288	14,323	13,345	9,474
	Bulandshahr ...	32,304	23,598	30,360	22,348	6,597	3,993	3,504	4,263	104	54	31	12	39,005	27,645	33,895	24,993
	Total	77,381	46,512	52,822	38,514	20,486	11,122	9,995	7,407	131	90	64	45	97,998	57,724	62,881	45,966
AGRA.	Aligarh ...	9,984	7,808	12,064	13,348	844	560	696	721	1	1	1	3	10,829	8,369	12,761	14,072
	Muttra ...	30,671	7,837	4,734	2,694	2,007	440	207	111	5	...	1	2	32,683	8,277	4,942	2,807
	Agra ...	29,184	14,987	12,729	6,170	1,152	440	356	141	17	5	2	8	30,353	15,432	13,087	6,319
	Mainpuri ...	36,667	13,092	9,217	3,308	745	208	145	51	17	2	2	...	37,429	13,302	9,364	3,359
	Etah ...	24,870	12,682	11,250	4,997	2,348	842	499	214	55	14	6	2	27,273	13,538	11,755	5,213
	Total	131,376	56,406	49,994	30,517	7,096	2,490	1,903	1,238	95	22	12	15	138,567	58,918	51,909	31,770
ROHILKHAND.	Bareilly ...	43,984	20,629	9,690	1,947	8,574	3,192	1,342	320	79	6	...	...	52,637	23,827	11,032	2,267
	Bijnor ...	7,585	5,593	6,974	5,102	2,492	1,336	1,339	814	7	2	2	...	10,084	6,931	8,315	5,916
	Budaun ...	49,410	16,690	7,495	1,770	6,428	1,895	713	176	45	18	6	...	55,883	18,603	8,214	1,946
	Moradabad...	28,679	15,800	10,047	3,023	12,435	6,474	3,462	965	130	25	10	1	41,244	22,299	13,519	3,989
	Shahjahanpur ...	70,643	14,774	4,289	661	5,528	1,271	533	100	83	8	1	1	76,254	16,053	4,823	762
	Total	224,162	84,327	42,699	13,114	38,131	15,111	7,813	2,479	354	60	19	2	262,647	99,498	50,531	15,595
ALLAHABAD.	Farrukhabad ...	33,969	13,280	7,517	2,235	2,459	780	434	167	13	4	2	1	36,441	14,064	7,953	2,403
	Etawah ...	25,904	14,584	10,998	3,881	645	249	125	46	...	1	...	...	26,549	14,834	11,123	3,927
	Cawnpore ...	37,063	18,615	9,691	2,194	1,240	437	213	31	2	...	2	1	38,305	19,052	9,906	2,226
	Fatehpur ...	22,582	12,929	7,797	2,208	2,075	1,106	667	182	1	1	1	...	24,658	14,036	8,465	2,390
	Allahabad ...	56,252	22,978	10,183	2,948	5,672	2,199	1,035	335	29	...	13	8	61,953	25,177	11,231	2,391
	Total	175,770	82,386	46,186	13,466	12,091	4,771	2,474	761	45	6	18	10	187,906	87,163	48,678	14,237
JHANSI.	Jhansi ...	20,595	3,502	1,134	264	194	27	6	2	...	...	...	...	20,789	3,529	1,140	266
	Jalaun ...	5,760	2,069	1,141	408	187	42	13	4	...	...	...	...	5,947	2,111	1,154	412
	Hamirpur ...	8,201	1,611	630	125	423	145	38	10	...	...	1	...	8,624	1,756	669	135
	Banda ...	22,507	4,752	1,761	347	1,021	173	65	11	2	...	...	...	23,530	4,925	1,826	358
		Total	57,063	11,934	4,666	1,144	1,825	387	122	27	2	...	1	...	58,890	12,321	4,739	1,171
BENARES.	Benares ...	39,184	9,832	4,406	1,423	1,160	273	127	46	7	1	2	1	40,351	10,106	4,535	1,470
	Mirzapur ...	26,256	5,971	2,456	720	598	120	23	8	6	5	3	4	26,860	6,096	2,482	732
	Jaunpur ...	50,698	14,959	5,556	1,382	3,871	649	291	106	2	...	1	4	54,571	15,608	5,848	1,492
	Ghazipur ...	36,824	8,070	2,970	777	2,229	526	203	80	28	8	1	1	39,081	8,604	3,174	858
	Ballia ...	38,127	8,643	3,215	1,116	1,314	155	50	18	13	...	...	...	39,454	8,798	3,265	1,134
	Total	191,089	47,475	18,603	5,418	9,172	1,723	694	258	56	14	7	10	200,317	49,212	19,304	5,686
GORAKHPUR.	Gorakhpur ...	267,537	28,693	5,358	600	24,547	2,830	470	42	93	19	4	7	292,177	31,542	5,832	649
	Basti ...	95,326	18,073	4,419	754	16,461	5,034	1,586	354	...	...	...	...	111,787	23,107	6,005	1,108
	Azamgarh ...	95,935	14,013	3,565	527	11,194	1,586	565	90	1	4	2	2	107,130	15,603	4,132	619
	Total	458,798	60,779	13,342	1,881	52,202	9,450	2,621	486	94	23	6	9	511,094	70,252	15,969	2,376
KUMAUN.	Naini Tal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Almora ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Garhwal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total, Agra		1,315,639	389,819	228,312	104,054	141,003	45,054	25,622	12,656	777	215	127	91	1,467,419	435,088	254,061	116,801
LUCKNOW.	Lucknow ...	840	122	58	30	163	36	7	9	...	...	...	...	1,003	158	65	39
	Unao ...	1,442	376	102	69	337	24	9	14	...	...	...	...	1,779	400	111	73
	Rae Bareilly ...	2,772	731	381	144	326	75	32	9	...	...	...	...	3,098	806	413	153
	Sitapur ...	315	88	43	27	73	11	4	1	...	...	...	...	388	99	47	28
	Hardoi ...	828	285	137	66	99	20	13	6	...	...	...	...	927	305	150	72
	Total	6,773	1,780	795	372	1,076	194	74	47	1	...	...	...	7,850	1,974	869	419
FYZABAD.	Fyzabad ...	1,927	472	210	57	130	20	11	7	...	1	...	...	2,057	493	221	64
	Gonda ...	3,278	1,040	424	300	248	46	24	12	...	...	...	...	3,526	1,086	448	312
	Bahraich ...	123	39	26	41	50	10	6	8	...	...	...	...	173	49	32	49
	Sultanpur ...	2,706	435	215	99	160	39	15	8	...	...	...	...	2,866	474	230	108
	Partabgarh ...	5,212	1,557	1,076	904	695	239	113	84	...	...	...	...	5,907	1,796	1,189	988
	Total	14,319	3,767	2,069	1,449	1,785	463	211	147	...	1	...	1	16,104	4,231	2,280	1,597
Total, Oudh		21,092	5,547	2,864	1,821	2,861	657	285	194	1	1	...	1	23,954	6,205	3,149	2,016
GRAND TOTAL		1,336,731	395,366	231,176	105,875	143,864	45,711	25,907	12,850	778	216	127	92	1,481,373	441,293	257,210	118,817

TABLE VIII.—STATEMENT OF PERSONS PAYING LAND REVENUE.

Division.	District.	Persons paying in land revenue from—																
		Re. 1 to Rs. 24.				Rs. 25 to Rs. 49.				Rs. 50 to Rs. 99.				Rs. 100 and over.				
		Hindus.	Muham-madans.	Others.	Total.	Hindus.	Muham-madans.	Others.	Total.	Hindus.	Muham-madans.	Others.	Total.	Hindus.	Muham-madans.	Others.	Total.	
MEERUT.	Dehra Dun...	4,584	23	51	4,658	161	14	6	181	166	10	6	182	268	19	31	318	
	Saharanpur ...	15,251	8,506	13	23,770	6,146	2,337	8	8,491	4,008	1,437	4	5,449	3,451	1,387	19	4,857	
	Muzaffarnagar ...	12,288	3,751	1	16,040	4,212	1,053	1	5,266	2,890	601	1	3,492	2,258	724	...	2,982	
	Meerut ...	25,417	8,741	15	34,173	10,308	1,981	1	12,290	7,307	1,335	2	8,644	5,816	1,140	15	6,971	
	Bulandshahr ...	19,198	4,740	15	23,953	9,016	1,152	4	10,172	6,028	839	3	6,870	10,433	2,373	32	12,838	
	Total	76,738	25,761	95	102,594	29,843	6,537	20	36,400	20,399	4,222	16	24,637	22,226	5,643	97	27,966	
AGRA.	Aligarh ...	8,031	873	5	8,909	2,952	220	...	3,172	2,399	175	...	2,574	3,456	463	3	3,922	
	Muttra ...	24,429	763	1	25,193	3,335	126	...	3,461	1,901	55	...	1,956	2,305	134	...	2,439	
	Agra ...	7,773	457	5	8,235	2,876	87	4	2,967	2,293	61	2	2,356	3,496	210	1	3,707	
	Mainpuri ...	5,109	206	3	5,318	1,575	30	...	1,605	1,449	36	2	1,487	2,603	49	3	2,655	
	Etah ...	3,063	612	6	3,681	1,057	162	1	1,220	1,019	142	1	1,162	1,669	267	8	1,944	
	Total	48,405	2,911	20	51,336	11,795	625	5	12,425	9,061	469	5	9,535	13,529	1,123	15	14,667	
ROHLKHAND.	Bareilly ...	1,997	969	31	2,997	1,191	364	1	1,556	1,295	412	5	1,712	2,414	1,033	10	3,457	
	Bijnor ...	1,859	1,954	1	3,814	870	411	1	1,282	827	308	1	1,146	1,674	617	12	2,303	
	Budaun ...	3,835	1,638	3	5,476	1,917	556	...	2,473	1,523	474	1	1,998	2,164	727	4	2,894	
	Moradabad ...	1,943	2,522	4	4,469	914	655	1	1,570	1,062	621	...	1,683	2,186	1,169	6	3,361	
	Shahjahanpur ...	1,685	800	1	2,486	1,040	211	1	1,252	1,037	217	...	1,254	2,173	699	3	2,875	
	Pilibhit ...	206	131	...	337	97	52	...	149	138	86	...	224	730	350	3	1,083	
	Total	11,525	8,014	40	19,579	6,029	2,249	4	8,282	5,892	2,118	7	8,017	11,311	4,594	38	15,973	
ALLAHABAD.	Farrukhabad ...	6,316	1,378	...	8,194	2,195	357	...	2,552	1,623	229	...	1,852	2,030	401	1	2,432	
	Etawah ...	4,066	91	...	4,157	1,507	41	...	1,548	1,426	24	...	1,450	2,738	73	...	2,816	
	Cawnpore ...	7,550	702	8	8,260	1,489	70	1	1,560	1,507	54	...	1,561	3,724	176	1	3,901	
	Fatehpur ...	1,383	863	...	2,246	760	323	...	1,083	772	228	...	1,000	1,648	394	1	2,043	
	Allahabad ...	3,714	1,492	3	5,209	1,142	550	8	1,700	906	499	2	1,407	1,941	775	20	2,736	
	Total	23,529	4,526	11	28,066	7,093	1,341	9	8,443	6,234	1,034	2	7,270	12,081	1,824	23	13,928	
JHANSI.	Jhansi ...	13,135	116	6	13,257	2,074	8	...	2,082	1,153	11	6	1,170	943	10	5	958	
	Jalaun ...	4,940	148	4	5,092	1,784	45	3	1,832	1,351	21	6	1,378	1,457	36	17	1,510	
	Hamirpur ...	11,736	660	1	12,397	2,615	67	...	2,682	1,455	70	...	1,525	1,090	65	...	1,155	
	Banda ...	16,646	778	1	17,425	3,539	248	1	3,788	1,591	116	1	1,708	1,798	152	1	1,951	
	Total	46,457	1,702	12	48,171	10,012	368	4	10,384	5,550	218	13	5,781	5,288	263	23	5,574	
BENARES.	Benares ...	4,275	140	...	4,415	764	42	...	806	510	34	...	544	1,262	96	...	1,358	
	Mirzapur ...	3,465	130	...	3,595	817	47	...	864	632	45	1	678	1,049	63	...	1,112	
	Jaunpur ...	5,129	1,140	...	6,269	1,837	338	1	2,176	1,358	287	1	1,646	1,715	521	...	2,236	
	Ghazipur ...	10,005	1,464	36	11,505	2,514	397	1	2,912	1,364	297	...	1,661	1,296	302	...	1,598	
	Ballia ...	11,148	610	1	11,759	1,723	78	...	1,801	858	57	...	915	722	96	...	818	
	Total	34,022	3,484	37	37,543	7,655	902	2	8,559	4,722	720	2	5,444	6,044	1,078	...	7,122	
GORAKH- PUR.	Gorakhpur...	30,338	1,070	6	31,414	6,765	321	1	7,087	4,404	165	1	4,570	4,142	324	15	4,481	
	Basti ...	21,050	2,405	...	23,455	5,291	553	...	5,844	3,050	443	...	3,493	2,523	442	3	2,968	
	Azamgarh ...	21,047	5,391	3	26,441	5,410	1,225	1	6,636	3,159	781	1	3,941	2,101	692	5	2,798	
	Total	72,435	8,866	9	81,310	17,466	2,099	2	19,567	10,613	1,389	2	12,004	8,766	1,458	23	10,247	
KUMAUN.	Naini Tal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Almora ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Garhwal ...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
	Total	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
LUCKNOW.	Lucknow ...	3,226	1,056	3	4,285	1,117	447	1	1,565	757	336	1	1,094	1,032	508	...	1,540	
	Unao ...	8,101	831	1	8,933	2,271	255	1	2,527	1,933	198	...	2,131	3,344	503	1	3,848	
	Rae Bareli...	1,452	473	...	1,925	550	153	...	703	465	123	...	588	981	200	4	1,185	
	Sitapur ...	1,909	278	...	2,187	727	76	...	803	650	58	...	708	1,136	175	2	1,363	
	Hardoi ...	6,741	1,245	3	7,989	2,795	209	1	3,005	2,402	197	...	2,599	3,221	481	2	3,704	
	Kheri ...	988	235	3	1,226	298	55	...	353	301	57	...	358	572	92	11	675	
		Total	22,417	4,118	10	26,545	7,758	1,195	3	8,956	6,508	969	1	7,478	10,336	1,959	20	12,315
	FYZABAD.	Fyzabad ...	22,531	1,826	1	24,358	3,753	394	...	4,147	1,783	241	1	2,025	1,525	240	...	1,765
		Gonda ...	8,154	1,481	...	9,635	2,819	379	...	3,198	1,636	332	...	1,968	3,295	867	1	4,163
		Bahraich ...	159	101	...	260	93	34	...	127	80	22	...	102	1,262	404	2	1,668
Sultanpur ...		9,509	1,503	...	11,012	2,490	333	...	2,823	1,490	146	...	1,636	1,495	195	1	1,691	
Partabgarh ...		2,440	221	...	2,661	629	55	...	684	462	37	...	499	724	117	...	841	
Bara Banki ...		3,623	1,358	1	4,982	999	509	...	1,508	950	443	1	1,394	1,319	833	1	2,153	
	Total	46,416	6,490	2	52,908	10,783	1,704	...	12,487	6,401	1,221	2	7,624	9,620	2,656	5	12,281	
Total, Oudh	68,833	10,608	12	79,453	18,541	2,899	3	21,443	12,909	2,190	3	15,102	19,956	4,615	25	24,596		
GRAND TOTAL	381,944	65,872	236	448,052	108,434	17,020	49	125,503	75,380	12,360	50	87,790	99,231	20,598	244	120,073		

realization of responsible government in India it is of utmost importance to train as large a number of people as possible in the art of the working of representative institutions. Now looking to the area, population, revenue, orderly development of healthy opinion and the traditions of the Provinces whose people were associated with the administration of the country for centuries under the Moghal Empire is it too much to ask that the representative assembly of the heart of India should not be second to any provincial council in strength? Men can grow to their full height only if they have opportunities. A council of 150 elected members is none too large for a province with a population of 48 millions. The second reason in support of my proposal is that the extension of franchise must not be out of all proportion to the size of our council. In fact the qualifications for a vote suggested by me are so low that I am not sure whether I am not justified in asking for a council of much larger size. Novel as the experiment in India is it is important to consider whether a huge extension of a vote without a corresponding increase in the size of the council will not lead to a breakdown of the system.

The Grand Committee.

^{moments}
A ~~month's~~ thought will show that the suggestion contained in paragraph 242 of the report on Indian Constitutional Reforms that the Grand Committee in every council should comprise from 40 to 50 per cent of its strength is impracticable. To give effect to it you must perforce nominate a large number of officials as members who will have no work in the council except when the Grand Committee sits. Again the suggestion pre-supposes the presence of 7 or 8 nominated non-official members (1/6 of 40 to 50)

in every provincial council. The extension of the elective principle has rendered nominations almost unnecessary and it is somewhat difficult to guess what can be the interests to represent which as many as 7 or 8 non-official members may be required in a provincial council. In the proposed council of 130 members for the United Provinces 4 or 5 seats are sufficient to secure the representation of those interests or minorities for whom an electorate can not be found at present.

Proposed strength and composition of the United Provinces
Legislative Council.

To be elected by general constituencies including small municipalities - - - - -	85
To be elected by general electors of 14 municipalities with a population of 50,000 and over - - - - -	14
To be elected by Moslem constituencies (rural) - - - - -	35
To be elected by Moslem electors of the municipalities of Lucknow, Benares, Agra, Bareilly, Allahabad, Cawnpore, Moradabad and Meerut - - - - -	8
To be elected by Upper India Chamber of Commerce - - - - -	3
To be elected by United Provinces Chamber of Commerce - - - - -	2
To be elected by the University of Allahabad - - - - -	1
To be elected by the Hindu University of Benares - - - - -	1
To be elected by M. A. O. College, Aligarh till Moslem University is established - - - - -	1
To be nominated by Government of whom 25 to be officials the remaining 5 to represent minorities, special interests and backward classes - - - - -	30
	<hr/>
	Total - - 180

General constituencies (urban and rural)

The first thing to consider is whether it is advisable to form small municipalities into groups excluding the rural population. Having regard to the fact that a small municipality has more in common with the neighbouring rural area than with another such municipality 50 to 80 miles far off I would suggest that except in the case of 14 towns the population of which exceeds 50,000 the remaining municipalities should be included in rural electorates. Speaking generally I would allow a general rural electorate with a non-Moslem population not above 6,00,000 to elect one member above 6 lacs but not above 12 lacs to elect two members; and above 12 lacs to elect three members.

The constituencies established on these lines are:-

Scheme of general constituencies (rural)

NO:	Name of town	NO: of members	S. NO:	Name of town	NO: of member
			33.	Azimganj	3.
	Dehra Dun	1.	34	Kumaun	2.
	Saharanpur	2.	35	Lucknow	1.
	Muzaffarnagar	1.	36	Unnao	2.
	Meerut	2.	37	Rai Bareilly	2
	Bulandshahr	2.	38	Sitapur	2.
	Aligarh	2.	39	Hardoi	2.
	Muttra	1.	40	Kheri	2.
	Agra	2.	41	Fyzabad	2.
	Mainpuri	2.	42	Gonda	2.
	Etah	2.	43	Bahraich	2.
	Bareilly	2.	44	Sultanpore	2.
	Bijnor	1.	45	Partabgarh	2.
	Budaun	2.	46	Barabanki	2.
	Moradabad	2.			
	Shahjahanpore	2.			
	Pilibhit	1.			
	Farrukhabad	1.			
	Etawah	2.			
	Cawnpore	2.			
	Fatehpore	1.			
	Allahabad	2.			
	Jhansi	2.			
	Jalaun	1.			
	Hamiapur	2.			
	Banda	1.			
	Benares	2.			
	Mirzapore	2.			
	Jaunpore	2.			
	Ghasipore	2.			
	Ballia	2.			
	Gerakhpore	3.			
	Basti	3.			
				Total- 85	

Coming to urban constituencies I suggest that each of the municipalities of Lucknow, Benares, Allahabad, Agra, Cawnpore, Bareilly, Meerut, Saharanpur, Moradabad, Aligarh, Muttra, Shahjahanpur, Fatehgarh and Jhansi should be accorded the right to return a representative. Every one of them has a population exceeding 50,000.

Moslem Constituencies.

I propose that the United Provinces of Agra and Oudh be divided into 35 rural and 8 urban constituencies. The Musalman population is so unevenly distributed in various districts that it is very difficult to establish electorates uniform in population. Yet the population test appears to be the soundest and the ~~best~~ least likely to give unequal results to different districts. Districts with a Moslem population above 1,00,000 have been treated as constituencies. In the case of small districts two or three of them have been grouped together to be formed into a constituency. Population being the basis of representation it is proposed that an electorate with a Moslem population not above 2,50,000 ^{one} should send ~~two~~ ^{one} member; above 2,50,000 but not above 3,50,000 should send two members; above 3,50,000 should send three members.

Care has been taken to group together, as far as possible neighbouring districts or those which have some common features, for instance, Kumaun and Dehra Dun. The population of constituencies varies but in no case is it below 1,00,000 and in most cases about 2,00,000.

Scheme of Moslem constituencies (rural)

NO:	Constituencies	Population	Total	NO: of members.
1rad	Sahasrampur	3,29,094	3,29,094	2.
	Dehradun	27,794	1,93,111	1.
	Pilibhit	86,276		
	Naini Tal	71,883		
	Almora	3,546		
	Garhwal	3,614	2,31,873	1.
	Muzaffarnagar	2,31,873		
	Meerut	3,08,227	3,08,227	2.
Aligarh	1,15,035			

3. NO:	Constituencies	Population	Total	NO: of members.
1.	Saharanpur	3,29,094	3,29,094	2.
Dehrad	Dehradun	27,794	1,93,111	1.
	Pilibhit	86,274		
	Naini Tal	71,883		
2.	Almora	3,546	2,31,873	1.
3.	Garhwal	3,614		
	Muzaffarnagar	2,31,873		
4.	Meerut	3,08,227	3,08,227	2.
5.	Aligarh	1,15,035	2,06,434	1.
	Etah	91,399		
6.	Agra	60,361	1,66,597	1.
	Mainpuri	44,477		
	Muttra	61,759		
	Bareilly	2,17,760	2,17,760	1.
	Bijnor	2,80,501	2,80,501	2.
	Shahjahanpore	1,39,159	1,39,159	1.
	Budaun	1,76,376	1,76,376	1.
9.	Moradabad	4,05,216	4,05,216	3.
12.	Farrukhabad	1,04,293	2,12,088	1.
	Etawah	45,628		
	Cawnpore	62,167		
13.	Allahabad	1,49,687	2,13,194	1.
	Mirzapore	68,507		
14.	Jalaun	30,055	2,07,008	1.
	Hamirpur	34,169		
	Banda	27,408		
	Jhansi	37,068	2,19,307	1.
	Fatehpore	78,308		
	Benares	41,450		
15.	Jaunpore	1,01,296	3,22,946	2.
	Ghazipore	76,561		
16.	Gorakhpore	3,22,946	3,04,676	2.
	Basti	3,04,676		
	Azamgarh	1,86,843	2,39,520	1.
	Ballia	52,677		
	Bulandshahr	2,08,367		
	Raibareli	87,566	1,49,146	1.
	Lucknow	61,580		
	Sitapur	1,71,779	1,71,779	1.
	Hardoi	1,19,540	1,95,573	1.
	Unnao	76,033		
	Etzabad	1,27,954	1,27,954	1.
	Gonda	2,26,907	2,26,907	1.
	Bahraich	2,01,460	2,01,460	1.
	Sultanpore	1,16,320	2,09,933	1.
	Partabgarh	93,613		
	Barabanki	1,80,537	1,80,537	1.
	Khiri	1,38,281	1,38,281	1.

Total- 35

Moslem constituencies (urban)

The eight municipalities having a Moslem population of more than 40,000 are:-

1. Lucknow - - - 99,117
2. Bareilly - - - 58,470
3. Benares - - - 55,407
4. Agra - - - 54,194
5. Moradabad - - 48,053
6. Allahabad - - 47,934
7. Cawnpore. - - - 41,834

There are two municipalities with a Moslem population above 35,000.

Shahjahanpur - - - 39,772

Meerut - - - - - 36,661

On a purely numerical basis it is not possible to deny the right of representation to Shahjahanpur but having regard to the tests of literacy and intelligence of voters as also the fact that Meerut is one of those cities who have hitherto enjoyed the right of representation I would prefer Meerut to Shahjahanpur. If we lower the population test to 30,000 four more municipalities will have to be included in the urban list, viz, Shahjahanpur, Saharanpur, Aaroah and Sambhal. In none of these places is political life sufficiently developed. Another objection may be that Aaroah and Sambhal are situated in the district of Moradabad and it is not desirable that 3 out of 12 urban electorates should be constituted in one district. The result is that according to my scheme there will be eight urban constituencies for the return of Moslem members and Meerut will be one of them.

The future Moslem University.

It is not out of regard for Aligarh as a centre of Moslem thought, great though the respect of the entire Moslem community as also mine for Aligarh is, that I have included it in the scheme of representation. University education will be one of the subjects committed to the charge of ministers. We soon hope to have a University at Aligarh.

Higher

Higher education will be one of the foremost subject that will demand our attention. It is important that all the universities in the United Provinces should be represented in the council. The Moslem University is not yet but we all trust that it will soon be. Till it is founded the right to return a member can safely be exercised by the trustees of the Mohamadan Anglo-Oriental College at Aligarh which is the largest and most important Moslem educational institution in India.

Proportion of Moslem Members.

As one who took an humble part in the joint deliberations of the All-India Congress Committee and the Council of the All-India Moslem League on constitutional reforms I may be permitted to make a few remarks on the real meaning of the clause relating to Moslem representation. The material portion of the clause runs thus:-

"The Mohammadans should be represented through special electorates on the Provincial Legislative Councils in the following proportions:- United Provinces 30 per cent of the elected Indian members. Provided that no Mohammadan shall participate in any of the other elections to the Imperial or Provincial Legislative Councils save and except those by electorates representing special interests".

The first sentence of the clause means that seats ^{allotted} attached to the Moslem Community shall be filled by Musalmans on election by Musalmans. The plain meaning of the words elected Indian members is that in working out Moslem proportion in various provincial councils the number of nominations reserved to a Government as also the number of seats held by Europeans by election should be deducted from the total strength of the council. In the next place it should be clearly understood that Musalmans identified with special interests, for instance, the University of Allahabad or the United Provinces Chamber of Commerce, are not debarred
from

from taking part in elections by these bodies. The same will be the case with the mining industry if it is important enough in any province to be accorded representative. The above illustrations were cited when the clause was under discussion by the Committees of the Congress and the League.

Representation of landlords.

I consider it wholly unnecessary to accord special representation to landlords either in the province of Agra or Oudh. For reasons stated by me in my memorandum on the division of functions the landowning class will be in the ascendant in the first two, may be three, councils. At present their interests ~~are~~^{are} not imperilled. Rather there is a remote danger of their imperilling the interests of others. If it is found on examination by the periodic commission that there are difficulties in the way of their election by ~~hygeneral~~ and communal electorates a case will have been made out for special treatment. Reasonable representation can be then accorded to them. Looking to the proposed constitution of electorates in which the tenants will have a majority, at any rate in rural electorates, any special representation conceded to them at present will practically mean "heads I win, tails you lose". I consider that no case for a preferential treatment has been made out in favour of the taluqdars of Oudh who being the owners of large estates will have greater control over their tenants and can have their tenants' vote at their disposal more freely than can ever be the case in the province of Agra. If ^{however} any special representation is granted to the taluqdars it will be but just and fair not to deny the same to the landlords of the sister province.

Payment of Members.

Future councils will generally require the ~~services~~ services of whole-time men. Persons desirous of devoting their energy and time to the service of their country may not

not always be possessed of ^{private} independent means. It is therefore desirable that the question of the payment of the non-official members should be considered. The allowance should not be on a liberal scale. Many of the members, especially those belonging to the landed aristocracy, will not perhaps care to draw the allowance which should be fixed with reference to the needs of a person belonging to the middle class. My proposal is that the non-official members should be paid a sum of Rs3,000 per annum. The cost to the tax payer will be Rs4,50,000 a year (150^X3,000) but looking to the character of the proposed constitutional changes I believe that the money is well worth spending.

An Alternative Scheme.

From certain statements recently prepared by the Government of the United Provinces it appears that the number of voters under heads, 1, 2 and 4 in the list given on the first page of this memorandum is 15,81,455. The number of elective seats in my scheme being 147 the average number of electors per seat will be 10,758. This does not compare unfavourably with Ireland where the total number of electors at the general election in 1910 was 6,98,800 and the number of members 193 or an average of 6,784 per member. In Scotland the average was 10905 and in England 12569. But it is to be remembered that the voters in the United Provinces will be considerably more than 15,81,455 since large numbers are to be added under heads 3, 5 and 6 in the list for which the figures are not available at present. But if for any reasons the Franchise Committee thought that the strength of the United Provinces Council should be between 100 and 125 I would not be prepared to keep the qualifications for a vote so low as I have done. The smaller your council is the more unwieldy will your electorates become unless you raise the qualifications of electors. In a council of 100 to 125 members a person should not be entitled to vote unless he fulfils any of the following

following conditions:-

- (1) That he pays an agricultural rent of Rs100/- per annum;
- (2) That he pays a land revenue of Rs50/- per annum or owns revenue-free land assessed to a nominal revenue of Rs50/- per annum;
- (3) That he occupies a house of the minimum annual value of Rs72/-;
- (4) That he is a payer of income-tax;
- (5) That he pays Rs12/- per annum in local taxes which are in force at present or may be imposed hereafter; or
- (6) That he being above 21 years of age has passed the Matriculation or an equivalent examination of an Indian University.

By the adoption of this basis we get 579,237 voters under heads (1), (2) and (4). The remaining heads, for which figures are not available at present, will give us, it may be presumed, something like 150,000 thus raising the total number of voters in the United Provinces to 729,237.

..... note by the Hon'ble Syed Nazim Ali, M.A. of the
High Court, Allahabad, for the Franchise Committee.

This note, which deals with the constitution of the Indian Legislative Assembly and the Council of State, should be read in continuation of the memorandum which I have already submitted to the Franchise Committee.

THE INDIAN LEGISLATIVE ASSEMBLY.

Elections to the Assembly should, as far as possible, be direct. In the formation of constituencies due regard should be had to the varying conditions of the provinces. It may not be possible to establish electorates on the basis of uniform qualifications. In those provinces where it may not be possible to form sufficiently large electorates the election may be made by non-official members of provincial Councils. In the United Provinces I propose to give a vote to every person who pays a land revenue of Rs 1000/- per annum or pays income tax or any other tax on an annual income of Rs 1000/- or is a graduate of a University. Figures are not available but it is hoped that the electorates thus formed will be sufficiently large in numbers and thoroughly representative in character. I must point out that the number of representatives assigned to the United Provinces⁽⁸⁾ Personally I would like that the strength of the Indian Legislative Assembly should be 120. In a Council of 100 eleven seats should be given to the United Provinces of which three should be thrown open to election by Muslim electorates. The question of adjusting seats allotted to Muslims in various provinces in such a manner as to obtain one-third of the Indian elective seats for the community in the assembly without some variation in the proportions fixed for the provincial Councils will present difficulties but they can be overcome by adopting the device of giving one more or one less seat to the Muslims in a province at alternate elections. The North-West-Frontier Province should be represented in the Assembly. That province has sufficient material for founding a constituency on lines similar to those on the basis of which elections are made

to the United Provinces Legislative Council by the existing Muslim constituencies.

THE COUNCIL OF STATE.

Elections to this body should be made by non-official members of provincial Councils. The provision made for Muslim ~~and~~ representation in the report is wholly inadequate. I suggest that the Muslim members of the Councils for the Punjab, Bengal, the United Provinces, Bombay and Behar should elect one member each. At alternate elections one seat should be given to the Muslims of Madras and Assam. One seat should be placed at the disposal of the Governor General for securing Muslim representation from such part of the country as he may deem proper. Nominations should be avoided in the matter of representation but having regard to the smallness of Muslim population it is not practicable to devise a scheme for minor provinces. On the basis of the Congress-League formula one-third of the elected Indian members in the Council of State should be Muslims.

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*Additional notes of evidence submitted by the Hon. Mr. S. Wazir Hasan,
Advocate, Honorary Secretary of the All-India Moslem League.*

Composition of the Council.

It has been suggested in the previous notes that the total strength of the Provincial Legislative Council should be 125 members as laid down in the Congress-League Scheme. It would appear from the details given herein that the said number is the most desirable from several points of view—

- (i) The number of nominated members will be 25 instead of 21 as set out in the proposals of the U. P. Government.
- (ii) This increase of 4 members will enable the Government to nominate at least two secretaries belonging to the department under the minister or ministers and in case of need of two experts.
- (iii) The remaining number of 100 affords a very convenient basis for the formation of the constituencies both urban and rural.

Elected Members—100.

1. Muslim constituencies	...	...	30	— 26
2. General rural non-muslim constituencies			46	
3. British Indian Association, Oudh *	...	...	5	
4. Upper India Chamber of Commerce	...	...	2	
5. U. P. Chamber of Commerce	...	...	1	
6. University of Allahabad	...	...	1	
7. Benares Hindu University	...	...	1	
8. Seven large cities (2 each)	...	...	14	
TOTAL			...	100

Muslim Constituencies—30.

1. Rural Constituencies	...	18	as proposed by U. P. Govt.	17
2. Urban	...	12		
Lucknow	2	<i>Handwritten notes:</i> Meerut Allahabad Shahjahanpur ... Meerut (2 seats)
Bareilly	...	...	2
Benares	...	...	2
Agra	...	...	2
Cawnpore	...	...	1
Allahabad	...	...	1
Meerut	...	...	1

Lucknow has the largest muslim population. i.e. nearly 100,000, and the three cities to which two seats have been given have each Muslim population above 50,000, and the remaining three cities which have been allotted one seat each, have population below 50,000.

It may be noted that when the Muslim Aligarh University is established the seats allotted to the Urban Constituencies may be reduced by one, and given to the said University.

* Provided that no Taluqdar shall participate in the election by the rural constituencies, Muslim and non-Muslim.

General Non-Muslim Constituencies—46.

Dehra Dun and Saharanpur	...	...	1
Naini Tal and Garhwal	...	...	1
Of the remaining 44 districts one each	...	...	44
			<hr/>
		TOTAL	... 46

This distribution of seats has the advantage of allowing every district to be treated as a unit except in the case of the 4 districts mentioned above and the principle is in accordance with the proposals of the U. P. Government.

A candidate should not be restricted for election to the constituency in which he resides, but that he should be free to stand for election in any constituency within the Province.

Division of Subjects.

In the previous notes as regards the division of subjects the resolution passed at the Special Sessions of the All India Muslim League has been supported. But as an alternative proposal the scheme of the Government of United Province is agreed to.

U. V. Gupta

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Scheme showing proposed constitution of the Provincial Legislature.

Composition of council, electorates and constituencies.

In the proposals outlined below an endeavour has been made to conform to the general conditions postulated in paragraphs 226 to 233 of the Report on Indian Constitutional Reforms. Provision accordingly has been made for (a) direct election, (b) as broad a franchise as appears to be practicable, having regard to the problems involved in the maintenance of an electoral roll, the attendance of voters at polling centres, the danger of impersonation and the subsequent adjudication of electoral petitions, and (c) for communal and special electorates only where these are required in accordance with the principles adopted in the report.

(a) General.—In conformity with the general practice in Western countries, it is proposed to base the franchise entirely on property qualifications. This appears to be the only basis which will yield an electorate fairly representative of the various classes and interests. The actual qualifications suggested are low enough to embrace all the better educated classes.

I.—Franchise.

(b) Rural areas.—(1) Tenants.—Table VI shows that there are over five million tenants paying a rental of one rupee per annum and upwards. Apart from any question of fitness for the exercise of a vote, an electorate of this magnitude would be unworkable. It would be impossible to make adequate arrangements for the recording of votes. The total of secured tenants is 2,298,693.

This would give a more manageable, but still an excessively large electorate. By omitting secured tenants paying rentals of 1 rupee to 24 rupees per annum the total would be reduced to 817,320. It would be inequitable, however, to exclude from the franchise all purely non-occupancy tenants. Tenants of this class, while their interests are less permanent than those of secured tenants, are entitled to some representation. It is proposed accordingly to restrict the franchise to tenants of all classes paying rentals of Rs. 50 per annum and upwards. The total is 816,964.

(2) Landlords.—The payment of Rs. 25 revenue may be taken as equivalent to the payment of a rental of Rs. 50 per annum. It is proposed therefore to give a vote to all landlords paying a revenue of Rs. 25 and upwards. The total of such persons is 333,366. Fixed-rate tenants in the permanently settled districts and occupancy tenants in Oudh are practically under-proprietors, and those of them who pay rent of Rs. 25 per annum and upwards will therefore be included in the roll. The number of such tenants is not considerable.

(3) Income-tax payers.—Income-tax payers are clearly entitled to the franchise. The number is inconsiderable.

(4) Kumaun.—Conditions in the hill pottis of Kumaun are peculiar. Most of the land is held on what is practically a ryotwari tenure. The land revenue is very light, and resembles rather a poll tax than the land revenue assessments in the plains. The amounts paid are in practically all cases less than Rs. 25 per annum, and are no adequate indication of the assessee's standing. There are in Almora and Garhwal a fairly considerable number of tenants known as khaikars and a small number known as sarfans. Very few of these pay as much as Rs. 50 rent per annum, but the khaikars, though technically tenants, possess in some respects the status and privileges of under-proprietors. In Kumaun, therefore, it is proposed to confer the franchise on all persons paying land revenue, on the tenants known as khaikars and also on the small number of persons paying a rental of Rs. 50 per annum and upwards. In the plains portion of the Kumaun division the franchise will be the same as in other rural areas. Statistics are not available, but the numbers concerned are small.

(c) **Urban areas.**—The qualifications of the electors in the different municipalities vary so greatly that it is impossible to accept the municipal electoral rolls as the electoral rolls for the Provincial Council. While, e.g., Firozabad has an electorate that is 16·40 of its population, Ballia has an electorate that is only 1 per cent. of the population. Not only have different municipalities different qualifications, but in cases where the nature of the qualification is the same the limiting amounts vary very greatly, e.g., where the qualification is the payment of a municipal tax the minimum amount varies from Rs. 2 in Firozabad to Rs. 36 in Agra; where the qualification is the ownership or the occupation of a building of a certain minimum annual value the minimum annual value ranges from Rs. 3 in Agra to Rs. 120 in Cawnpore and Rs. 300 in Farrukhabad; where the qualification is the receipt of a minimum annual income the minimum ranges from Rs. 120 in Dhampur to Rs. 16 in Mirzapur; where it is the payment of land revenue or land rent the minimum payment ranges from Rs. 15 to Rs. 250.

Moreover, as the electoral rolls are in most cases prepared by non-official members it would be unsafe to rely upon figures which are not based on any definite data. The only suitable basis for framing an electoral roll in such cases is to adopt those qualifications the possession of which renders the possessor liable to definite liabilities, such as municipal taxes. The most suitable qualifications from this point of view are the possession or occupation of houses of a minimum annual value or the possession of a minimum annual income where such qualifications render the possessor liable to house tax or to a tax on circumstances and property or on trades and professions. It is proposed therefore that the qualifications in urban areas should be (1) the possession of an income of Rs. 200 a year, or (2) the occupation of a house of a minimum annual rental of Rs. 3 a month. The reason why in the latter case the minimum of Rs. 3 is proposed is that in many municipalities where a house tax is in force houses of the annual value of less than Rs. 3 per mensem are usually exempted from such taxation. In municipalities in which a house tax is in force the assessment list of the municipal board should be utilized for the purposes of preparing the electoral rolls and similarly in municipalities where there is a tax on circumstances and property, or a tax on trades and professions, the assessment list should also be so utilized. There are, however, several municipalities in which direct taxation is not in force, the most prominent being Lucknow. In such cases it would be necessary to have lists prepared by an official agency, showing the annual value of the buildings and lands within the urban area.

* Exclusive of income-tax assesses.

On the above basis the estimated number of electors* in the seven larger municipalities to which it is proposed to give separate representatives would be 55,000, while the estimated number of electors in the other municipalities, in notified areas and in town areas would be 123,000. It has, however, to be taken into consideration that in the smaller municipalities, the town areas, and the notified areas, probably the great majority of the persons who would qualify either as occupying houses of a certain minimum annual value or as paying a tax on income would be qualified as landholders or as tenants. It is impossible to say what the number would be.

	Urban electorate.			Number of income-tax assesses.
	Hindus.	Mubam-madans.	Total.	
Allahabad	5,951	2,201	8,152	844
Benares ...	9,579	1,712	11,291	861
Total ...	15,530	3,913	19,443	1,705
Lucknow...	10,000 (rough)	2,000	12,000	862
Cawnpore	5,820	1,707	7,527	1,799
Total ...	15,820	3,707	19,527	2,654
Agra ...	6,994	2,699	9,693	690
Rareilly ...	1,443	640	2,083	695
Meerut ...	2,858	1,588	4,444	434
Total ...	11,295	4,825	16,120	1,816
GRAND TOTAL	42,645	12,445	55,090	6,175
Number of income-tax assesses in rest of province is ...				38,439

The income-tax payers would not affect greatly the figures. There are 6,175 income-tax payers in the seven municipalities which are to have separate representatives and in the rest of the province there are 38,439. Probably, however, a considerable number of the income-tax payers would also possess qualifications as payers of land revenue or rent or as having one of the qualifications recommended for urban areas.

The qualifications proposed to a certain extent overlap. The overlapping is not, however, serious. And it is not in any case contemplated that an elector having more than one qualification should have more than one vote in a single constituency. Where he has qualifications in more than one constituency there seems to be no objection to his voting in both. As a matter of fact if all elections are held simultaneously, few persons will be in a position to record more than one vote. It is not therefore proposed to prohibit plural voting.

Communal representation is necessary in the case of Muhammadans only. The formula accepted by the Congress and Muslim League has been adopted. It is proposed that Muhammadans should vote only in their own constituencies.

The taluqdars of Oudh form in that province a distinct class defined by legislation, and organized in an association of long standing. They enjoy separate representation in the existing Council, and this privilege it is proposed to continue. Separate electorates are also suggested in the case of (a) the Chambers of Commerce, (b) the University, which return each one member to the existing Council.

The smaller municipalities and all notified areas and town areas have been grouped with the rural areas. The alternative would be to create composite constituencies consisting of groups of urban areas, and there are strong practical objections to this course. The constituencies so formed would be entirely lacking in any community of local interests. The seven large cities, however, Allahabad, Benares, Lucknow, Cawnpore, Agra, Bareilly and Meerut (including the cantonments) are large enough and important enough to justify the grant of separate representation. Against their smaller population as compared with the rural constituencies must be set their higher level of education (they include the bulk of the educated middle classes) and their practical monopoly of industry and commerce.

2. The distribution of electors under the franchise proposed is uneven in rural areas. As will be seen from the tables appended there are fairly considerable variations as between the different districts, and constituencies framed on the basis of population will thus contain unequal numbers of electors. The alternatives would be to vary the franchise as between different areas, or to base constituencies on the number of electors. Both alternatives are open to serious objection. The latter would give a very unequal representation to different parts of the provinces; the former would extend the franchise to classes at present unfit for its exercise. The population basis has accordingly been adopted. On the whole it seems calculated to give the fairest results. On the qualifications suggested the electors in each area will be reasonably representative of the different classes and interests concerned, and the precise number of electors is thus a matter of little importance. In time, moreover, the variations will tend to diminish. They are due to differences in the agricultural economy of districts which the working of economic forces will gradually eliminate or reduce.

3. For practical purposes it is important to preserve, so far as possible, the district as the electoral unit. It has been necessary, however, in the case of the Muhammadan and of a few general constituencies, to group adjacent districts, and in the case of Muhammadan urban constituencies to group together two or more large towns. The grouping is tentative, and should clearly be open to reconsideration in the light of the views expressed by the communities concerned.

II.—Plural voting.

III.—Communal electorates.

IV.—Special electorates.

V.—Constituencies.

VI—Strength and composition of the Council.

Table I shows that the proposed strength of the Council is 100 members.

Of these 79 are to be elected, viz.,—

- 42 by general constituencies ... } Mainly rural but also including the smaller municipalities, notified areas and town areas.
- 18 by Muhammadan constituencies ... }
- 7 by the general electors of the cities of (1) Allahabad, (2) Lucknow, (3) Cawnpore, (4) Benares, (5) Agra, (6) Bareilly, (7) Meerut (cum cantonments), viz., one by each city.
- 3 by the Muhammadan electors of the above seven cities, viz.,—
 - 1 by { Lucknow.
 - { Cawnpore.
 - 1 by { Allahabad.
 - { Benares.
 - 1 by { Bareilly.
 - { Meerut.
 - { Agra.
- 5 by the British Indian Association.

Tables II and III show that the proportion of landlords to tenants is decidedly lower in Oudh than in Agra. The resulting disproportion in voting strength will be offset by the separate representation proposed to be granted to the taluqdars.

3 by the Chambers of Commerce, viz., 2 by the Upper India Chamber of Commerce and 1 by the United Provinces Chamber of Commerce. The former body represents at present a much larger proportion of the industrial activities of the province.

1 by the University of Allahabad.

21 members will be nominated. Eighteen of these are to be officials; two are intended to represent the Anglo-Indian community and one the European community.

*Why not Benares?
tc.*

Which are to elect?

$$\begin{array}{r}
 79 \text{ elected} \\
 \underline{\quad 9} \\
 70 \times 3 \\
 \underline{\quad 21} \\
 210
 \end{array}$$

TABLE I.

Proposed composition of Council.

	<i>Number of members.</i>
To be elected by general constituencies	42
Muhammadan constituencies	18
the British Indian Association, Oudh	5
the general electors of the cities of Agra, Cawnpore, Allahabad, Lucknow, Benares, Bareilly and Meerut (cum cantonments)	7
To be elected by the Muhammadan electors of these cities grouped as below	3
Lucknow	1
Cawnpore	1
Allahabad	1
Benares	1
Bareilly	1
Meerat	1
Agra	1
To be elected by the Upper India Chamber of Commerce	3
United Provinces Chamber of Commerce	1
University of Allahabad	1
To be nominated	21
Officials	16
Anglo-Indian community	2
European community	1
Total	100

TABLE
Statement showing proposed

Division.	District.	Hindu Population according to census of 1911. <i>(including the same library)</i>	Literacy according to census of 1911 of males of 20 and over—Hindus.		Literacy according to census of 1911 of others of 20 and over.		Hindus paying land revenue from—				
			Vernacu- lar.	English.	Vernacu- lar.	English.	Rs. 25 to Rs. 49.	Rs. 50 to Rs. 99.	Rs. 100 and over.	Total of columns 8 to 10.	
1	2	3	4	5	6	7	8	9	10	11	
PROVINCE OF AGRA.											
MERCUT.	Dehra Dun ...	177,281	9,832	1,098	2,138	1,558	161	166	268	595	
	Saharanpur ...	657,265	18,519	1,262	8,109	1,818	6,146	4,008	8,451	15,608	
	Muzaffarnagar ...	576,487	10,992	455	2,298	131	4,212	2,890	2,253	9,360	
	Meerut ...	1,211,137	25,007	1,937	7,549	2,928	10,308	7,307	5,818	23,431	
	Bulandshahr ...	915,425	15,291	645	1,973	248	9,016	6,028	10,433	25,477	
	Total ...	3,537,595	75,251	5,327	17,067	6,183	29,848	20,999	22,226	72,468	
AGRA.	Aligarh ...	1,022,366	25,363	1,081	2,714	304	2,952	2,399	3,456	8,807	
	Muttra ...	594,551	21,172	1,129	1,320	753	8,335	1,901	2,305	7,541	
	Agra ...	981,486	27,286	3,190	4,988	2,959	2,876	2,293	8,498	8,685	
	Mainpuri ...	753,147	12,993	436	1,739	148	1,575	1,449	2,408	6,527	
	Etah ...	780,598	11,650	379	1,620	153	1,057	1,019	1,659	3,745	
	Total ...	4,112,148	98,464	6,275	12,379	3,717	11,795	9,061	15,529	84,385	
ROHILKHAND.	Bareilly ...	876,903	13,755	1,092	3,229	2,568	1,191	1,295	2,414	4,900	
	Bijnor ...	525,701	7,887	879	1,783	190	870	857	1,674	3,381	
	Budaun ...	876,952	9,462	337	1,057	96	1,917	1,523	2,164	5,604	
	Moradabad ...	809,554	12,850	1,043	1,729	815	914	1,062	2,186	4,182	
	Shahjahanpur Pilibhit ...	806,616 401,344	14,184 6,516	434 271	434 304	121 64	1,040 97	1,037 188	2,173 730	4,250 955	
	Total ...	4,997,170	64,664	3,728	8,586	5,354	6,029	5,892	11,841	23,262	
ALLAHABAD.	Farrukhabad ...	795,729	15,814	866	962	272	2,195	1,623	2,030	5,848	
	Etawah ...	714,493	15,188	572	990	183	1,607	1,426	2,738	5,671	
	Cawnpore ...	1,080,119	32,846	2,313	3,052	2,207	1,489	1,607	5,724	6,720	
	Fatehpur ...	598,631	11,610	273	134	38	760	772	1,648	3,180	
	Allahabad ...	1,317,449	26,478	2,549	3,442	2,751	1,142	906	1,941	3,989	
	Total ...	4,506,421	101,931	6,573	8,550	5,451	7,093	6,234	12,061	26,408	
JHANSI.	Jhansi ...	620,169	14,669	1,145	4,129	1,680	2,074	1,153	943	4,170	
	Jalaun ...	434,768	11,148	270	132	51	1,784	1,351	1,457	4,592	
	Hamirpur ...	646,519	10,422	192	147	63	2,615	1,455	1,090	5,180	
	Banda ...	377,367	12,342	272	164	74	8,539	1,591	1,798	6,928	
		Total ...	2,078,823	48,581	1,879	4,572	1,868	10,012	5,550	5,288	20,850
BENARES.	Benares* ...	855,585	34,624	4,060	857	546	764	510	1,322	2,536	
	Mirzapur* ...	1,002,539	21,797	671	296	100	817	632	1,049	2,498	
	Jaunpur* ...	1,054,958	22,631	604	296	61	1,837	1,358	1,715	4,910	
	Ghazipur* ...	763,164	14,436	616	95	64	2,514	1,864	1,296	5,174	
	Balla* ...	792,741	16,038	464	69	42	1,728	858	722	3,803	
	Total ...	4,468,987	109,526	6,415	1,613	813	7,655	4,722	6,044	18,421	
GORAKHPUR.	Gorakhpur ...	2,378,234	61,140	1,975	655	364	6,755	4,404	4,142	15,311	
	Basti ...	1,525,745	31,049	497	104	44	5,291	3,050	2,523	10,864	
	Azamgarh ...	1,305,975	23,806	492	278	95	5,410	3,159	2,101	10,670	
		Total ...	5,709,954	115,995	2,964	1,037	503	17,466	10,613	8,766	36,845
	KUMHAR.	Naini Tal† ...	251,636	10,200	812	770	401	19,490
Almora ...		521,558	20,816	781	1,363	1,237	...	...	...	96,298
Garhwal‡ ...		476,553	23,667	544	225	127	...	...	...	35,096
		Total ...	1,249,747	54,683	2,137	2,358	1,765	150,879
Total, Agra ...		29,960,854	669,095	35,298	56,162	23,654	89,893	62,471	79,276	382,518	
OUDH.											
LUCKNOW.	Lucknow ...	702,831	16,672	3,693	5,276	4,599	1,117	757	1,032	2,906	
	Unao ...	634,882	19,230	589	209	68	2,271	1,933	3,344	7,548	
	Bae Bareilly ...	929,298	21,738	618	147	74	550	455	981	1,996	
	Sitapur ...	857,217	17,148	762	347	131	727	650	1,186	2,563	
	Hardoi ...	1,001,708	17,872	511	420	103	2,795	2,402	3,221	8,418	
	Total ...	3,202,927	12,077	5,181	6,899	5,084	7,758	6,606	10,396	24,602	
FYSAHAB.	Fyzabad ...	1,026,155	18,242	890	1,414	1,275	3,753	1,783	1,525	7,061	
	Gonda ...	1,185,305	26,498	872	156	124	2,819	1,636	3,295	7,750	
	Bahraich ...	845,217	17,345	562	194	69	93	80	1,262	1,435	
	Sitapur ...	832,204	17,881	353	60	95	2,490	1,490	1,495	5,474	
	Parbhaghat ...	806,350	13,404	368	77	40	629	462	724	1,815	
	Total ...	3,895,231	107,734	3,450	2,150	1,595	10,783	6,401	9,620	25,804	
Total, Oudh ...	10,956,434	212,471	9,941	8,849	6,679	18,541	12,909	19,956	51,406		
GRAND TOTAL ...	40,917,288	881,566	45,239	65,011	30,333	108,434	75,380	99,231	433,924		

NOTES.—(1) Urban electorate comprises persons in municipalities (excluding seven large towns), notified areas and town areas who are ...
 (2) Income-tax assesses have not been shown in the above statement as figures are not available for Hindus and Muhammadans ...
 * These figures are exclusive of fixed-rate tenants to whom, vide note, paragraph 1(b) (2), it is proposed to give a vote. Figures ...
 † The figures for Kumaon do not include the khakari tenants, to whom, vide paragraph 1(b) (4) of note, it is proposed to give a ...
 ‡ There are some tenants in Garhwal and Naini Tal paying over Rs. 50 rent but the figures are insignificant.
 § These figures include both Hindus and Muhammadans. Separate figures are not available but the number of Muhammadans is ...
 ¶ These figures do not include occupancy tenants to whom, vide note, paragraph 1(b) (2), it is proposed to give a vote. Figures are ...
 This number includes Aryas, Jains, Sikhs, etc., who are included under "Hindus" in columns 8 to 11 and 16 to 18.

II.
General constituencies.

Persons other than Hindus and Muhammadans paying land revenue from—				Hindus paying rent from—			Persons other than Hindus and Muhammadans paying rent from—			Total of columns 11, 15, 18 and 21.	Urban.		Total of columns 23 and 24.	Total of columns 23 and 25.	Number of members.
Ra. 25 to Ra. 49.	Ra. 50 to Ra. 99.	Ra. 100 and over.	Total of columns 12 to 14.	Ra. 50 to Ra. 99.	Ra. 100 and over.	Total of columns 16 and 17.	Ra. 50 to Ra. 99.	Ra. 100 and over.	Total of columns 19 and 20.		Hindus.	Others.			
12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27
6	6	31	43	721	856	1,077	12	11	28	1,728	2,504	602	3,106	4,844	1
8	4	19	31	3,050	6,947	14,997	8	1	4	28,637	3,078	104	3,182	31,819	1
1	2	...	2	8,568	7,732	16,290	7	5	12	25,664	3,528	4	3,532	29,196	1
1	3	15	18	19,477	14,325	33,802	2	7	9	57,360	2,859	71	2,910	60,170	1
4	3	32	39	36,246	29,463	65,709	35	17	52	91,277	3,678	17	3,695	94,972	1
20	16	97	133	73,062	58,813	131,875	59	41	100	204,576	15,627	798	16,425	221,001	4
...	...	...	...	17,591	21,110	38,701	1	4	5	47,516	2,745	63	3,008	50,324	1
...	...	...	...	9,590	5,949	15,539	4	3	7	23,037	4,899	16	4,915	28,002	1
4	2	1	7	18,175	9,435	27,610	3	9	12	36,394	1,865	21	1,886	38,180	1
...	2	3	5	12,234	6,167	18,401	8	2	3	24,036	1,868	3	1,871	28,904	1
1	1	8	10	13,773	6,696	20,469	8	3	11	24,234	3,327	263	3,590	27,824	1
5	5	15	25	71,363	49,356	120,719	19	19	38	155,167	14,702	366	16,070	170,237	4
1	5	10	16	14,302	3,213	17,515	3	1	3	22,434	549	4	653	22,987	1 (including Pilibhit).
1	1	12	14	11,919	9,681	21,600	6	...	6	25,001	3,421	175	3,596	28,597	1
...	1	4	5	12,891	3,327	16,718	6	1	7	22,334	2,398	171	2,569	24,903	1
1	...	6	7	18,137	7,617	25,754	28	5	33	29,956	4,377	35	4,412	34,368	1
1	...	3	4	5,381	1,088	6,469	1	...	1	10,704	2,354	35	2,389	13,093	1
...	...	5	3	6,318	1,109	7,427	...	...	...	3,395	463	10	473	3,868	1 (included in Bareilly).
4	7	38	49	68,948	26,515	95,463	43	7	50	118,324	13,562	430	13,992	132,316	5
...	...	1	1	3,067	3,125	12,192	1	1	2	18,043	2,720	20	2,740	20,783	1
1	...	1	2	14,064	5,350	19,414	2	1	3	23,088	2,840	30	2,870	27,958	1
...	...	...	...	17,981	4,365	22,346	4	3	7	29,075	944	2	346	29,421	1
...	...	1	1	10,095	2,964	13,059	1	...	1	16,241	451	6	457	16,698	1
8	2	20	30	14,366	4,374	18,740	18	12	30	22,779	1,009	8	1,012	23,791	1
9	2	23	34	65,553	20,188	85,741	26	17	43	111,226	7,364	61	7,426	118,651	5
...	6	8	11	2,580	659	3,239	...	...	...	7,420	2,476	364	2,840	10,260	1
3	6	17	26	5,964	2,352	8,316	...	...	...	12,994	1,281	24	1,305	14,299	1
...	...	...	...	5,521	1,507	7,028	1	...	1	12,139	1,070	11	1,081	13,970	1
1	1	1	3	3,842	877	4,719	...	...	...	11,650	1,098	10	1,048	12,698	1
4	18	23	40	17,907	5,395	23,302	1	...	1	44,193	5,865	409	6,274	50,467	2
...	1	...	1	4,971	1,555	6,526	2	1	3	9,065	497	...	407	9,562	1
1	1	...	2	3,991	1,314	5,305	5	5	8	7,812	2,065	98	2,098	9,910	1
1	...	...	1	6,097	1,485	7,583	1	4	5	12,500	1,815	11	1,826	14,326	1
...	...	...	1	4,476	1,251	5,727	2	1	8	10,908	1,347	19	1,366	12,274	1
2	2	...	4	4,846	1,586	6,432	...	...	...	9,285	2,740	7	2,747	11,992	1
1	1	15	17	23,881	7,192	31,073	8	11	19	49,517	8,464	70	8,534	58,051	2
...	1	3	5	6,126	685	6,811	4	7	11	22,162	2,378	43	2,421	24,573	6
1	1	5	7	5,682	995	6,677	...	...	...	17,544	85	11	96	17,640	1
2	2	23	27	4,357	761	5,118	2	2	4	16,799	1,504	20	1,584	17,383	1
...	...	...	...	16,167	2,441	18,608	6	9	15	55,495	4,027	74	4,101	59,596	4
...	...	...	...	...	...	...	...	...	...	19,490	1,927	262	2,189	21,679	1
...	...	...	...	...	...	...	...	...	...	96,293	...	1	1	96,294	1
...	...	...	...	...	...	...	...	...	...	35,096	...	...	...	35,096	1
46	47	219	312	336,381	169,900	506,781	172	104	276	889,887	71,640	2,471	73,991	963,878	30
1	1	...	2	11,065	3,108	14,168	2	1	3	17,079	800	...	800	17,579	1
...	...	...	2	11,856	2,316	14,281	...	...	...	21,831	1,291	6	1,296	23,127	1
...	...	...	4	15,294	2,835	18,129	1	1	2	20,131	141	5	146	20,277	1
...	...	...	2	29,020	3,191	37,281	...	...	...	33,846	497	11	508	34,354	1
...	...	...	3	17,577	4,321	21,898	1	3	4	30,323	1,807	15	1,823	32,245	1
...	...	...	11	15,757	3,625	19,382	6	4	10	20,574	943	7	950	21,524	1
8	1	20	24	100,748	24,391	128,139	10	9	19	149,784	5,379	43	5,329	155,106	6
...	1	...	1	8,313	1,399	9,612	1	...	1	16,676	3,327	44	3,371	19,648	1
...	1	1	1	12,428	2,978	15,406	1	2	3	23,214	1,837	32	1,869	25,083	1
...	...	...	2	17,052	6,188	23,235	...	...	...	24,672	1,331	6	1,337	26,009	1
...	...	...	1	7,507	1,437	8,944	1	1	2	14,421	314	2	316	14,737	1
...	...	...	...	9,172	2,377	11,549	...	...	...	13,364	617	13	630	13,994	1
...	1	...	2	28,186	7,207	30,898	...	...	...	33,665	2,027	12	2,039	35,704	1
...	2	5	7	77,612	21,581	99,193	3	5	8	126,011	8,853	109	9,969	134,979	6
8	8	29	31	178,360	45,972	224,332	13	14	27	276,795	14,132	153	14,284	290,079	12
49	50	244	343	515,341	215,872	731,113	185	118	303	1,165,582	85,672	2,623	86,296	1,253,877	42

1) in possession of an income of Rs. 200 a year or (2) in occupation of a house of a minimum annual rental of Rs. 3 a month. separately. The total for the province is 38,439. Practically all of these will be entitled to vote under the other qualifications given above. are not available but the total of such tenants is small.

note, but these additions would not very largely add to the total of electors.

small, the total Muhammadan population being only 79,045, are not available but the total of such tenants is small.

TABLE
Statement showing proposed

1	2	3	Literacy according to census of 1911 of Muhammadan males of 20 and over.		Muhammadans	
			4	5	6	7
Division.	District.	Population according to census of 1911—Muhammadans.	Vernacular.	English.	Rs. 25 to Rs. 49.	Rs. 50 to Rs. 99.
PROVINCE OF AGRA.						
MEEHUT.	Dehra Dun ...	27,794	1,517	258	14	10
	Saharanpur ...	329,094	6,254	569	2,337	1,437
	Muzaffarnagar ...	231,873	3,895	185	1,053	601
	Meerut ...	308,227	5,587	532	1,981	1,335
	Bulandshahr ...	208,367	3,942	317	1,152	833
	Total ...	1,105,355	21,195	1,862	6,537	4,222
AGRA.	Aligarh ...	143,314	3,810	711	220	175
	Muttra ...	61,769	1,322	150	126	55
	Agra ...	60,361	4,037	854	87	61
	Mainpuri ...	44,477	1,032	52	30	36
	Etah ...	91,399	1,618	49	162	142
	Total ...	401,810	11,879	1,816	625	469
ROHILKHAND.	Bareilly ...	217,760	5,598	549	864	412
	Bijnor ...	280,501	4,590	229	411	308
	Budaun ...	176,376	3,266	257	556	474
	Moradabad ...	453,269	7,292	527	655	621
	Shahjahanpur ...	139,169	2,953	287	211	217
	Filibhit ...	86,274	2,094	106	52	86
	Total ...	1,353,339	25,783	1,955	2,249	2,118
ALLAHABAD.	Farrukhabad ...	104,293	2,364	170	357	229
	Etawah ...	45,628	1,518	201	41	24
	Cawnpore ...	62,167	3,711	544	70	54
	Fatehpur ...	73,308	1,620	76	323	228
	Allahabad ...	145,687	8,829	1,375	550	499
	Total ...	440,083	18,042	2,366	1,341	1,034
JHANSI.	Jhansi ...	37,068	1,790	248	8	11
	Jalain ...	30,455	615	42	45	21
	Hamiypr ...	34,169	1,045	100	67	70
	Banda ...	27,408	1,538	241	248	116
		Total ...	129,100	4,986	631	368	218
BENARES.	Benares * ...	41,450	8,525	434	42	34
	Mirzapur * ...	68,507	1,533	128	47	45
	Jamnpur * ...	101,296	3,328	266	333	287
	Cheripur * ...	76,561	3,054	273	387	297
	Balia * ...	52,677	1,976	105	78	57
	Total ...	340,491	13,416	1,206	902	720
GORAKH-MAUR.† PUN.	Gorakhpur ...	322,946	4,893	484	321	165
	Basti ...	304,676	4,140	129	553	443
	Azamgarh ...	186,843	5,038	233	1,225	781
		Total ...	814,465	14,071	846	2,099	1,389
MAUR.† PUN.	Naini Tal † ...	71,833	1,353	144	...	...
	Almora ...	3,546	428	58	...	...
	Garhwal † ...	8,614	219	17	...	...
	Total ...	79,043	2,000	219	...	...
	Total, Agra ...	4,663,186	111,372	10,901	14,121	10,170
OUDEH.						
LUCKNOW.‡	Lucknow ...	61,880	8,438	1,647	447	336
	Unao ...	76,033	1,247	128	255	198
	Rae Bareli ...	87,666	2,545	190	153	123
	Sitapur ...	171,779	3,055	246	76	58
	Hardoi ...	119,540	2,432	209	209	197
	Kheri ...	138,281	1,926	112	55	57
	Total ...	654,779	20,443	2,532	1,195	969
FYZABAD.‡	Fyzabad ...	127,954	3,435	208	394	241
	Gonda ...	226,907	3,408	209	379	332
	Bahraich ...	201,460	3,562	186	34	22
	Sultanpur ...	116,320	2,328	95	333	146
	Partabgarh ...	93,613	2,026	152	55	37
	Dara Banki ...	180,537	3,946	201	509	443
	Total ...	946,791	18,705	1,051	1,704	1,221
	Total, Oudh ...	1,601,570	39,148	3,583	2,899	2,190
	GRAND TOTAL ...	6,264,756	160,520	14,484	17,020	12,360

NOTES.—(1) Urban electorate comprises persons in municipalities (excluding seven large towns), of a house of a minimum annual rental of Rs. 3 a month.

(2) Income-tax assesses have not been shown in the above statement as figures are not of these will be entitled to vote under the other qualifications given above.

* These figures are exclusive of fixed-rate tenants to whom, vide note, paragraph I(b) (2), it is

† The figures for Kumaon do not include the khakari tenants, to whom, vide paragraph I(b) (4)

‡ There are some tenants in Garhwal and Naini Tal paying over Rs. 50 rent but the figures are

§ These figures include both Hindus and Muhammadans. Separate figures are not available but

¶ These figures do not include occupancy tenants to whom, vide note, paragraph I(b) (2), it is

TABLE IV.

Statement showing the seven general urban constituencies.

	Population.			Literacy according to the census of 1911 of males of 20 years and over, Hindus.		Literacy according to the census of 1911 of males of 20 years and over—others excluding Muhammadans.		Urban electorate.		
	Hindus.	Others.	Total.	Vernacular.	English.	Vernacular.	English.	Hindus.	Others.	Total.
Allahabad city ...	106,729	5,088	111,767	5,683	1,986	3,024	2,485	5,961	451	6,402
Benares " ...	143,468	993	144,461	16,443	3,605	684	430	9,879	48	9,622
Lucknow " ...	136,223	4,609	140,832	10,368	3,543	5,200	4,565	10,000 (rough)	400 (rough)	10,400 (rough)
Cawnpore " ...	112,357	2,849	115,206	11,179	1,673	2,892	2,806	5,820	325	6,145
Agra " ...	107,076	2,665	109,741	7,694	2,393	2,596	1,924	6,994	408	7,397
Bareilly " ...	57,590	1,471	59,051	3,285	765	504	318	1,448	100	1,548
Meerut " ...	38,870	820	39,690	6,308	1,106	2,909	2,301	2,858	18	2,876

The total number of income-tax assesses (Hindu and Muhammadan) is 6,175. It has not been possible to separate the Hindu from the Muhammadan assesses.

TABLE V.

Statement showing the proposed three Muhammadan urban constituencies.

	Population Muhammadans.	Literacy according to the census of 1911 of males of 20 years and over.		Urban electorate, Muhammadans.
		Vernacular.	English.	
Allahabad ...	47,934	4,244	1,093	2,201
Benares ...	55,407	2,481	831	1,712
	103,341	6,725	1,424	3,913
Lucknow ...	99,117	6,822	1,544	2,000
Cawnpore ...	41,834	2,333	479	1,707
	140,951	9,655	2,023	3,707
Agra ...	54,194	2,331	722	2,699
Bareilly ...	53,470	2,523	414	540
Meerut... ..	36,681	2,020	318	1,586
	149,325	7,374	1,454	4,825

The total number of income-tax assesses (Hindu and Muhammadan) is 6,175. It has not been possible to separate the Hindu from the Muhammadan assesses.

39,690
+ 36,661
76,351

Number of scholars on the 31st March, 1911, and 1917, classified according to sex, race or creed.

	Europeans and Anglo-Indians.		Indian Christians.		Hindus.				Muhammadans.		Buddhists.		Parsis.		Others.			
					Brahmans.		Non-Brahmans.											
	1911.	1917.	1911.	1917.	1911.	1917.	1911.	1917.	1911.	1917.	1911.	1917.	1911.	1917.	1911.	1917.		
COLLEGIATE EDUCATION.																		
<i>Arts Colleges—</i>																		
English	{	Male	9	32	52	63	670	962	1,412	2,554	758	1,148	...	3	2	2	2	
		Female	33	36	12	13	...	...	3	...	1	2	...	...	...	...	1	
Oriental	{	Male	...	...	...	889	867	20	...	365	...	...	...	...	...	...	...
		Female	...	...	...	...	...	...	...	2	...	...	...	...	...	...	...
<i>Colleges for Professional training—</i>																		
Law	{	Male	...	3	3	109	164	248	414	86	151	...	1	...	...	...	...
		Female	...	...	1	...	...	...	...	...	...	...	...	...	...	...	...
Medicine	{	Male	...	...	1	...	43	...	81	...	7	...	...	...	...	...	...
		Female	...	3	...	...	...	...	...	...	1	...	...	...	...	...	...
Engineering	{	Male	60	31	12	11	87	43	229	193	83	26	...	...	...	...	...
		Female	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Teaching	{	Male	...	...	2	4	27	38	32	44	9	20	...	...	...	...	...
		Female	5	3	2	2	...	...	...	...	...	...	...	...	...	...	...
Agriculture	{	Male	...	1	2	...	24	14	90	62	25	11	...	...	...	...	...
		Female	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Commercial	{	Male	...	1	...	46	...	10	...	72	...	41	...	...	...	...	...
		Female	...	5	...	...	...	...	...	...	...	...	...	...	...	...	...
Forestry	{	Male	...	12	...	7	...	24	...	42	...	13	4	2	...	...	...
		Female	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total			107	124	85	150	1,806	1,665	2,034	3,462	1,929	1,420	...	4	4	4	2	3
SCHOOL EDUCATION—GENERAL.																		
<i>Secondary schools—</i>																		
<i>For Boys—</i>																		
High School	{	Male	1,484	1,784	806	696	6,225	9,058	17,190	23,538	7,154	8,869	25	9	29	33	17	171
		Female	134	197	...	1	...	1	1	...	...	...	...	...	...	...	...	...
Middle Schools—																		
English	{	Male	266	365	555	715	1,579	1,913	4,436	5,114	2,548	2,617	9	4	12	8	...	58
		Female	89	170	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Vernacular	{	Male	...	...	187	193	11,132	10,223	23,496	17,104	9,724	5,659	16	...	...	9	...	52
		Female	...	...	...	...	18	14	43	19	1	9	...	...	...	...	...	...
<i>For Girls—</i>																		
High School	{	Male	239	288	13	44	...	11	6	12	4	9	...	...	...	3	...	4
		Female	1,130	1,335	465	559	24	62	34	107	24	44	5	...	7	27	...	6
Middle Schools—																		
English	{	Male	211	307	57	72	...	2	...	22	1	10	...	...	5	...	...	418
		Female	286	480	2,010	2,150	102	208	140	414	82	147	...	...	15	8	...	3,407
Vernacular	{	Male	...	...	11	...	...	1	2	8	...	...	...	...	...	...	...	...
		Female	...	1	245	67	59	1,006	297	3,182	21	521	...	...	...	...	...	...
Total			3,839	4,927	4,349	4,497	19,139	22,499	45,555	49,521	19,559	17,885	55	13	63	81	96	4,116
<i>Primary Schools—</i>																		
<i>For Boys</i>																		
For Boys	{	Male	123	90	373	977	122,995	172,138	246,172	364,995	61,615	92,242	71	4	6	...	628	3,047
		Female	79	72	6	84	2,211	4,725	5,047	10,134	484	667	23	1	...	...	84	51
<i>For Girls</i>																		
For Girls	{	Male	97	72	174	15	39	57	218	225	6	7	...	...	...	...	...	...
		Female	133	82	678	722	6,072	8,482	16,936	21,244	5,599	5,670	6	4	7	...	...	...
Total			432	322	1,231	1,798	131,297	185,402	268,373	396,598	67,704	98,586	100	9	13	...	712	3,098
SCHOOL EDUCATION—SPECIAL.																		
<i>Schools for special instruction—</i>																		
Training schools	{	Male	...	...	...	3	455	1,003	442	997	187	318	1	...	...	...	...	3
		Female	47	41	54	85	66	29	114	37	32	16	...	...	...	...	...	...
Schools of Art	{	Male	...	...	...	...	18	...	67	...	65	...	...	...	...	...	...	...
		Female	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Law schools	{	Male	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		Female	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Medical schools	{	Male	...	...	12	26	57	114	139	373	27	105	...	...	...	...	...	...
		Female	6	...	52	41	1	6	7	8	...	6	...	...	...	...	...	...
Engineering and Surveying schools	{	Male	120	42	...	...	...	1	...	4	...	1	...	...	...	...	...	...
		Female	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Technical and Industrial schools	{	Male	...	16	469	400	48	129	143	398	238	263	...	...	3	...	1	24
		Female	32	133	...	22	...	4	...	4	...	44	...	...	...	...	...	41
Commercial schools	{	Male	10	...	24	...	15	...	18	...	13	...	...	...	...	...	...	...
		Female	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Agricultural schools	{	Male	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		Female	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Reformatory schools	{	Male	...	...	...	4	9	11	90	107	50	57	...	...	...	...	...	...
		Female	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
Other schools	{	Male	57	55	4	6	452	3,726	1,904	2,520	194	1,208	...	...	...	...	...	12
		Female	...	...	...	...	...	...	...	...	6	...	...	...	...	...	...	...
Total			272	287	615	587	1,103	5,041	2,857	4,532	741	2,084	1	...	3	...	1	80
Total of Colleges and Schools of Public Instruction.																		
			4,650	5,660	6,280	7,032	153,345	215,657	318,819	454,113	89,333	119,975	156	26	83	85	741	3,472
PRIVATE INSTITUTIONS.																		
<i>1. Advanced teaching—</i>																		
(a) Arabic or Persian	{	Male	...	...	...	1	86	70	447	372	8,900	10,117	...	...	...	...	1	...
		Female	...	...	...	...	3	...	...	...	73	192	...	...	...	...	...	...
(b) Sanskrit	{	Male	...	...	...	...	6,125	8,205	351	1,307	26	3	...	...	...	...	...	31
		Female	...	...	...	...	17	53	15	117	...	...	...	...	...	...	...	...
(c) Any other oriental classic	{	Male	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
		Female	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
<i>2. Elementary teaching—A.—Vernacular only or mainly—</i>																		
For boys	{	Male	...	...	1,483	1,317	5,560	4,716	18,215	13,294	4,519	6,093	...	...	...	...	6	19
		Female	...	...	19	235	47	398	247	835	57	246	...	...	...	...	...	...
" girls	{	Male	...	...	...	2	...	7	2	...	...	...	...	...	...	...	...	...
		Female	...	...	315	618	164	610	788	1,483	235	111	...	...	...	...	...	...
<i>3. Elementary teaching. The Quran only—</i>																		
For boys	{	Male	...	...	1	2	71	85	348	15,546	21,850	...	...	...	...	...	...	...
		Female	...	...	...	2	...	3	810	874	...	...	...	...	...	...	...	...
" girls	{	Male	...	...	...	...	...	8	61	...	...	...	...	...	...	...	...	...
		Female	...	...	...	...	...	741	1,411	...	...	...	...	...	...	...	...	...
<i>4. Other schools not conforming to departmental standards—</i>																		
For boys	{	Male	2	...	175	94	1,359	1,667	3,556	5,668	1,451	1,623	...	...	...	...	...	12
		Female	...	...	17	12	8	14	8	55	6	13	...	...	...	...	...	...
" girls	{	Male	...	...	25	2	...	5	6	...	7	...	...	...	...	...	...	...
		Female	...	...	65	41	21	10	137	52	53	41	...	...	...	...	...	...
Total of private institutions			2	...	2,079	2,344	13,396	15,816	24,471	28,542	32,425	42,702	...	...	...	...	7	62
GRAND TOTAL			4,652	5,660	8,359	9,376	166,741	230,873	343,290	482,655	121,758	162,677	156	26	83	85	748	3,534

Statement showing the number of male scholars under instruction in each district for the years ending the 31st March, 1911, and 1917.

District.	Male population, 1911.	Number of male scholars, 1911.	District.	Male population, 1917.	Number of male scholars, 1917.
1	2	3	1	2	3
Dehra Dun ...	120,829	8,553	Dehra Dun ...	190,908	5,786
Saharanpur ...	539,022	14,331	Saharanpur ...	541,091	16,774
Muzaffarnagar ...	444,454	14,461	Muzaffarnagar ...	444,862	14,988
Meerut ...	831,601	20,880	Meerut ...	822,305	26,370
Bulandshahr ...	591,848	14,880	Bulandshahr ...	592,267	19,049
Aligarh ...	628,677	15,373			
Total ...	3,146,431	83,378	Total ...	2,521,483	82,861
Muttra ...	261,450	9,271	Aligarh ...	629,524	22,082
Agra ...	556,649	16,233	Muttra ...	361,507	11,513
Farrukhabad ...	493,271	11,708	Agra ...	557,320	26,743
Mainpuri ...	438,424	7,917	Mainpuri ...	438,920	12,944
Etawah ...	415,599	9,992	Etah ...	474,576	14,105
Etah ...	474,364	9,439			
Total ...	2,739,767	65,254	Total ...	2,461,847	86,687
Bareilly ...	593,378	10,785	Bareilly ...	598,886	16,604
Bijnor ...	427,113	13,736	Bijnor ...	427,158	15,580
Budaun ...	577,213	10,264	Budaun ...	577,561	13,546
Moradabad ...	675,305	16,945	Moradabad ...	676,151	23,369
Shahjahanpur ...	512,621	10,815	Shahjahanpur ...	513,563	14,541
Pilibhit ...	261,919	4,668	Pilibhit ...	262,009	6,874
Total ...	3,047,549	66,603	Total ...	3,050,265	90,314
Cawnpore ...	622,639	15,963	Farrukhabad ...	494,017	18,061
Fatehpur ...	350,267	10,833	Etawah ...	416,648	14,504
Banda ...	332,161	7,609	Cawnpore ...	623,437	26,718
Hamirpur ...	234,936	6,544	Fatehpur ...	350,207	13,627
Allahabad ...	743,901	17,732	Allahabad ...	744,362	33,935
Jhansi ...	350,091	8,901			
Jalau ...	209,565	6,866	Total ...	3,628,951	108,843
Total ...	2,843,580	74,047	Jhansi ...	350,192	11,043
Benares ...	451,663	20,671	Jalau ...	209,525	9,043
Mirzapur ...	531,439	12,153	Hamirpur ...	234,342	9,735
Jaunpur ...	575,006	17,462	Banda ...	332,161	11,716
Ghazipur ...	420,032	13,263			
Ballia ...	427,389	11,624	Total ...	1,126,720	41,537
Total ...	2,405,529	76,073	Benares ...	451,545	39,522
Gorakhpur ...	1,604,217	31,298	Mirzapur ...	358,278	12,914
Basti ...	926,693	21,280	Jaunpur ...	576,070	27,016
Asansgarh ...	749,319	19,550	Ghazipur ...	420,200	17,975
Total ...	4,378,329	72,078	Ballia ...	423,694	18,144
Naini Tal ...	182,738	5,144	Total ...	2,229,787	116,642
Almora ...	265,636	10,438	Gorakhpur ...	1,604,635	40,763
Garhwal ...	235,890	6,384	Basti ...	926,385	26,372
Total ...	685,264	21,916	Asansgarh ...	749,500	26,629
Lucknow ...	411,640	15,936	Total ...	3,280,721	92,664
Unao ...	478,398	10,131	Naini Tal ...	182,375	6,497
Rae Bareilly ...	510,680	13,551	Almora ...	265,516	13,837
Sitapur ...	605,836	13,222	Garhwal ...	235,318	10,093
Hardoi ...	608,891	9,582	Total ...	685,209	30,427
Kheri ...	510,477	8,512	Lucknow ...	411,799	21,121
Total ...	3,126,922	70,934	Unao ...	478,535	12,809
Fyzabad ...	575,686	14,377	Rae Bareilly ...	510,665	13,661
Gonda ...	718,553	12,800	Sitapur ...	606,339	16,122
Bahraich ...	548,716	8,336	Hardoi ...	609,367	14,502
Sultanpur ...	516,199	10,277	Kheri ...	511,512	8,632
Partabgarh ...	437,048	11,325	Total ...	3,129,767	85,847
Bara Banki ...	563,861	11,377	Fyzabad ...	575,621	13,233
Total ...	3,355,083	69,592	Gonda ...	718,418	17,320
GRAND TOTAL ...	24,028,344	598,375	Bahraich ...	544,594	13,117
			Sultanpur ...	515,980	14,320
			Partabgarh ...	437,183	13,254
			Bara Banki ...	564,137	14,189
			Total ...	3,355,933	89,352
			GRAND TOTAL ...	24,469,373	624,174

QUESTIONS:

What should be the age qualification for voter? or 21 years?

What should be the qualifications for a candidate for election to the Legislative Council?

What is the relation between the rural qualification of payment of Rs. 5/- rent and the urban qualification of an income of Rs. 200/-? What would be the gross annual income of a tenant paying Rs. 50 rent? What would be about the average gross income of a person occupying a house with a rental of Rs. 3 a month?

ANSWERS:

The Local Government considers that the age qualification should be 21 years.

It is considered that any person who is qualified to vote in any constituency should be qualified for election to the Legislative Council.

The co-operative societies in assessing the credit of a man take a rent of Rs. 50/- to denote roughly an income of Rs. 200/- a year. These authorities, place the net annual income at Rs. 150/-. The Director of Agriculture is of opinion that the gross annual income is at least Rs. 200/-. There are of course variations between districts and districts. In districts where the pitch of rent is very high the payment of Rs. 50/- rent would not imply the same income as in, e.g., one of the eastern districts where the rents are comparatively low. Taking the province as a whole however and having regard to the relatively lower cost of living in villages the annual income of a tenant paying Rs. 50/- rent is probably fully equivalent to an income of Rs. 200 per annum in urban areas.

The.....

The average gross income of a person occupying a house with a rental of Rs.3/- a month cannot be stated with any precision, but the minimum income of such persons, it is believed, cannot well be less on the average than Rs.200/- per annua.

Is proposed to nominate 2 members to represent the Anglo-Indian Community and one to represent the European Community.

What is the population of these communities? Give short description of them, principal places of residence, occupation etc. What is the justification of the proposed representation? Has the alternative of election been considered? If not, why?

1. The total Anglo-Indian Community at the last census (1911) was 8,994. The distribution of the community is shown in the following tables:-

United Provinces	8,994	
British Territory	6,292	
Agra Province	6,500	
1. DISTRICTS.		
<u>Meerut Division</u>		11,004
Dohra Dun	471	
Saharanpur	229	
Muzaffarnagar	1	
Meerut	277	
Bulandshahr	71	
Aligarh	15	
<u>Agra Division</u>		16,000
Muttra	39	
Agra	1,349	
Farrukhabad	77	
Mainpuri	6	
Etawah	14	
Mathura	115	
<u>Delhi Division</u>		4,990
Kareilly	149	157
Meerut	17	17
Bulandshahr	3	3

QUANTITY

AMOUNT

Keradabad	191	
Shahjahanpur	12	
Alib		
Pilibhit	8	
<u>Allahabad Division</u>		2413
Cannore	693	
Patchpur	9	
Banda	32	
Hamirpur	14	
Allahabad	1290	
Jhansi	471	
Jalga	3	
<u>Banaras Division</u>		474
Bepares	242	
Airampur	120	
Jaunpur	13	
Ghasipur	33	
Ballia	1	
<u>Gorakhpur Division</u>		205
Gorakhpur	134	
Basti	12	
Asanpurh	22	
<u>Kanama Division</u>		313
Kaini Tal	251	
Almora	61	
Gorhwal	1	
U D H		1563
<u>Lucknow Division</u>		1313
Lucknow	1222	
Unao	11	
Rae Baroli	32	

4.

Gitapur	19	
Kardai	23	
Pheri	3	
<u>Fyzabad Division</u>		35)
Fyzabad	73	
Gonda	103	
Satraich	7	
Saltanpur	14	
Mertabgarh	14	
Dara Banki	33	

2. ALLEN

Total of 24 cities 4626

Agra	509
Allahabad	1544
Aroha	..
Bareilly ²	83
Banars	109
Budaun	3
Casnpore	282
Meerut	14
Farrukhabad- sua Fatchgarh	45
Fyzabad-sua- Ajodhya }	65
Corakhpur	13
Mathras	15
Jaunpur	..
Jhansi	454
Boil (Alligarh)	..
Lucknow	1015
Meerut	173
Mirzapur Bindhashal }	39

8.

Keradaabad	237
Attira	2
Ranpur ^m	3
Saharanpur	139
Sambhal	..
Shahjahanpur	8

NOTES: Bareilly and Rampur cities do not include cantonment figures as they are not available.

Gorakhpur city does not include figures for notified area as they are not available.

It will be observed that more than half the community is to be found in the 24 cities.

The occupations are shown in the following table which shows the distribution of actual workers only:-

Industry	Anglo-Indians(1)
Exploitation of surface of earth	15
Industry	94
Transport	291
Trade	29
Public force	32
Public administration	57
Arts and professions	139
Domestic service	83

(1) Number per 1,000

The high figure under "Transport" is explained by the large number of those who are employed on the railways in various capacities. The

6.

community is thus a small one, but its standard of education is very high. It is not an integral part of the general population and its interests cannot be represented by the representatives of general constituencies. It has one representative at present in the existing Legislative COUNCIL and the representative suggested viz., two members in the larger reformed council is not considered to be excessive.

Nomination has been proposed in accordance with the views expressed in the Report of His Excellency the Viceroy and His Majesty's Secretary of State on Indian Constitutional Reforms, but the Local Government sees no objection to allowing the community to elect its own representatives if they so desire.

E. The European population at the last census (1911) was 32311. The distribution is shown in the following tables:-

UNITED PROVINCES	32311
BRITISH TERRITORY	32731
AWAH PROVINCE	25777
1. DISTRICTS.	
<u>Meerut Division</u>	7723
Dehra Dun	2774
Saharanpur	1206
Muzaffarnagar	15
Meerut	3337

7.

Balanshahr	73	
Aligarh	261	
<u>Agra Division</u>		3450
Autra	756	
Agra	2395	
Farrukhabad	148	
Mainpuri	34	
Etawah	62	
Etah	25	
<u>Mathura Division</u>		3022
Barilly	2896	
Bijnor	43	
Budsun	6	
Moradabad	150	
Shahjahanpur	91	
Filibhit	30	
<u>Allahabad Division</u>		7871
Cawnpore	2513	
Fatehpur	25	
Kanda	32	
Kanirpur	33	
Allahabad	3235	
Jhansi	1837	
Jalana	30	
<u>Benares Division</u>		810
Benares	513	
Mirzapur	204	
Jaunpur	22	
Ghaziपुर	53	
Ballia	18	
<u>Gorakhpur Division</u>		231
Gorakhpur	264	
Basti	22	
Azimgarh	39	

8.

<u>Varanasi Division</u>		2640
Maini Tal	1000	
Alnora	1437	
Garhwal	114	
O U D H		714
<u>Lucknow Division</u>		533
Lucknow	5004	
Enao	29	
Eae Bareilly	80	
Sitapur	80	
Hardoi	27	
Bheri	80	
<u>Fyzabad Division</u>		1575
Fyzabad	1424	
Gonda	80	
Dabraich	69	
Sultanpur	12	
Partabgarh	36	
Eara Banki	54	
<u>2. C. I. T. I. T. I.</u>		
Total of 21 cities.		17752
Agra	1735	
Allahabad	3124	
Aroha	..	
Bareilly x	233	
Benares	434	
Dudana	6	
Campore	1767	
Etawah	40	
Farrukhabad- cum-Fatehgarh	65	

9.

Fyzabad- Ajodhya	1395
Gorakhpur §	8
Mathras	19
Jaunpur	14
Jhansi	970
Koil (Alligarh)	4
Lucknow	5067
Meerut	1590
Mirzapur- Manshaohal	82
Moradabad	113
Patna	533
Rampur x	15
Baharanpur	674
Sambhal	11
Shahjahanpur	45

Note. - x Bareilly and Rampur cities do not include cantonment figures as they are not available.

§ Gorakhpur city does not include for notified area as they are not available.

The occupations of the community are shown in the following table which shows the distribution of actual workers only:-

Industry	Europeans (1)
Exploitation of surface of earth	4
Industry	5
Transport	95
Trade	13
Public force	737
Public administration	14

13.

Industry	Europeans(1)
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Arts and professions	31
----------------------	----

Domestic service	13
------------------	----

2 (1) Number per 1,000

It will be observed that just under 80 per cent are shown under the head "Public force". This is due to the fact that the greater part of the European population consists of soldiers in British regiments. As the strength of the British troops stationed in the provinces varies it is not possible to say what the total British population is at the present moment. The number, however, outside the public service and the army cannot amount to more than a few thousands. The importance of the community cannot be measured by its numerical strength, and it is considered that it is entitled to some separate representation. As in the case of the Anglo Indian community, nomination has been suggested in accordance with the views expressed in the Report on Indian Constitutional Reforms, but the Lieutenant Governor sees no objection to the substitution of election.

11.

as the Local Government considered whether there is backward tract which could be excluded under para. of the report?

In regard to the statistics tenants, do they exclude minors (b) women?

Have joint holdings been stated? e.g., if three brothers possess a joint holding paying Rs.150 rent it calculated as one or three each paying Rs.50/-? What is the proposal regarding joint Hindu family possessing necessary property qualification? Who will vote? Who manager?

Yes. The Local Government has reported to the Government of India that there is no tract in these provinces which should be excluded.

The statistics of tenants exclude women and minors.

Joint holdings have been treated as one holding: for example, if three brothers possess a joint holding paying Rs.150 rent this has been reckoned as one holding and not as 3.

It is proposed that in a joint Hindu family the manager alone should vote.

1. RESIDENTIAL ASSOCIATION.

Copies of the articles of association are herewith attached. It will be observed that the association consists of :-

(1) all persons whose estates are governed by Act I of 1869 and whose names are on the list of Talukdars published by the Local Government.

(2) landholders who pay subscriptions to the association and the Canning College.

(Rules 6 and 7)

The exact number of members of the

12.

association cannot be stated as there have been a certain number of deaths of late, but the number is generally about 270. A copy of the latest list is attached. The association at present elects a member to the local Legislative Council. The election takes place at an extraordinary general meeting in the manner laid down for the time being in the bye-laws of the association for carrying resolutions or recording its decisions upon questions of business. No modification in this procedure is proposed by the Local Government.

2. UPPER INDIA CHAMBER OF COMMERCE

The articles of association of the chamber are attached. The number of members is 65, but only 7 of these are individuals. In this connection attention is invited to an extract from a letter from the chamber dated the 6th January 1916 which is enclosed. The election of the member to the Legislative COUNCIL is carried out in the manner prescribed in the articles of association for the election of the Committee of the chamber. It does not require confirmation at the annual general meeting of the chamber. No change in the present procedure is proposed.

3. UNIVERSITY

One member is selected to the Legislative Council by the University of Allahabad.

13.

The electors are the members of the senate and honorary fellows of the University, having their place of residence in India. The constitution of the senate is regulated by Act I of 1904. Under this Act the senate consists of 8 ex-officio members, viz., the Chief Justice of the High Court, the Bishop of Lucknow, the Director of Public Instructions, U. P., the Director of Public Instruction, C.P., the Principal, Mair Central College, Allahabad, the Principal, Queen's College, Benares, the University Professor of Modern Indian History and the University Professor Economics, and 75 ordinary fellows of whom 8 are elected by the senate, 5 by registered graduates (the number of such is 137), 5 by the faculties and the remainder by the Chancellor who is the Lieutenant Governor of the U. P. No change in this procedure is proposed. The Local Government does not consider that the method of election which has yielded such distinguished representatives as the late Mr. Sunder Lal and Professor Ward requires to be altered.

4. THE U. P. CHAIRMAN'S COUNCIL.

This is a body of recent origin. The number of members is 93 and it is understood that they are all or almost all Indians. A copy of the articles of association is enclosed. At present this

14.

chamber does not elect any representative. If accorded a member, the election would doubtless be made by a special general meeting, vide rule 11.

What facilities has the local Government for polling a very large constituencies proposed?

The arrangements for polling have not been worked out. It was considered premature to attempt to do so before the composition of the electorate had been decided upon. It is considered, however, that satisfactory arrangements can be made. The idea was that elections should be held on a gazetted holiday and that it would thus be possible to enlist the services of a very large number of officials - I.C.S. officers, Deputy Collectors, Tahsildars, Naib Tahsildars, Dy. Inspectors, Sub Deputy Inspectors, Head Masters of Government High Schools, &c. Experience in municipalities shows that one returning officer can record the votes of fully 300 persons in a day. It should therefore be practicable by employing all the available officials, Honorary Magistrates, Honorary Assistant Collectors, retired Government officials and selected non-officials to arrange for the polling of an adequate proportion of the electors. Polling stations could be established at every tahsil, thana and at other selected centres.

15.

proposal to represent European
community by one and Anglo
Indian by two nominated members.

Vide answer to question No.4.

Please ascertain whether in the
opinion of the Local Government
there is any good reason for deny-
ing to these two communities the
right to elect their representatives
or whether the proposal for nomina-
tion is made solely out of deference
to the opinions expressed in the
Reforms Report.

How have the 7 urban consti-
tencies been selected?

The 7 urban constituencies have
been selected because these are the towns
with a population of 100,000 and over.
There are in addition nine other towns,
viz., Moradabad, Shahjahanpur, Jhansi,
Azil-Alliyah, Saharanpur, Farrukhabad-cum-
Fatehgarh, Muttra, Gorakhpur and Fyzabad-
cum-Ajodhya, with a population of 50,000
to 100,000. Of these one Gorakhpur is
rather an ever-grown village than a
town. None of the latter towns is suffi-
ciently large to entitle it to elect a
separate representative and as explained
in the preliminary note it has not been
considered desirable to group together
towns which have no community of local
interests.

Questions for discussion with the United
Provinces Government.

1. A proposal to include in the franchise:-
 - no 7* (1) a separate educational qualification (if this is accepted the question arises what standard should be adopted).
 - no* (2) military and civil pensioners.
 - no* (3) certain classes of public servants, e.g., school teachers.
2. A proposal to vary the rural franchise from tract to tract in order to equalize somewhat the number of voters, e.g., to lower it somewhat in Bundelkhand or to raise it in some districts with a very large electorate.
- no* 3. A proposal to increase the number of urban constituencies by making a few more large towns, say those with a population of 50,000 or more into separate constituencies. Or as an alternative to form groups of smaller towns instead of merging them into rural constituencies.
4. As regards rural constituencies, proposals:-
 - no* (1) to divide Bulandshahr into two constituencies,
 - no* (2) to divide Kumaon into two or three constituencies.
5. The proposed representation of the Oudh Talukdars.
6. The claim of the large landholders of Agra for separate representation.
- no* 7. The question of representation for Benares University and subsequently the contemplated universities of *no* Aligarh and Lucknow. Until Aligarh is converted into a University, should Aligarh College get separate representation through its trustees?

8. *byes* The inclusion of registered graduates among the voters for the university seats.
9. How it is proposed to provide for the representation of members of the joint Hindu family other than the manager and as to ~~joint~~ joint Revenue or Tenant Holdings.
10. The equal representation of the two Chambers of Commerce.
11. The number of nominated members, official and non-official, necessary to constitute the Grand Committee.
12. Some increase in the size of the Council contemplated.
13. Method of election to the Indian Legislative Assembly. Strength and composition of the provincial representation on that assembly.

Programme of witnesses for the
Reforms Committee
at Lucknow.
Franchise Sub-Committee.

to 12.30 P.M.

2.30 P.M. - 4.30 P.M.

November 25th.

1. Mr. S.P. O'Donnell,
(Chief Secretary).

3. Hon. Mr. G.G. Sim (Financial Secy)

2. Mr. A.C. Chatarji,
(Revenue Secretary).

4. Mr. Vikram Ajit Singh (U.P.
Chamber of Commerce).

November 26th.

1. Nabib Ullah. } British
2. Lakur Jagat Narain } Indian
3. Bahsh Singh } Association.

3. Hon. Pt. Madan Mohan } U.P. Pro-
4. Lalwiyah } vincial
5. Hon. Pt. Moti Lal Nehru } Congress

6. Nawab Abdul Majid. } Agra
7. Raja Ragho Prasad } Zamindars'
8. Narayan Singh } Association.

4. Mr. Ibni Ahmed } Moslem
5. Mr. Syed Agha Haider } Defense
Association.

5. Mr. C.T. Robbie .. Anglo Indian
Federation.

November 27th.

1. Raja Sir Rampal Singh,
K.C.I.E.

4. Rai Anand Sarup Bahadur.

2. Jagat Narayan.

5. Mr. A. P. Sen.

3. Anshi Narayan Prasad
Ashthana.

November 28th.

1. Sri Krishnaji

3. Pt. Gobind Ballabh Pant. } Pro-
vin

2. Mr. Garfield Williams.

4. Hon. Saiyid Wasir Hussain } cia
5. Hon. Saiyid Faza Ali } os
Lea

If Mr. Vikram Ajit Singh is examined, Pandit Gobind Ballabh Pant will
be omitted.

NOTE for the Franchise Committee

Submitted on behalf of the U. P. Provincial Congress Committee.



Franchise.

We think that the qualifications of voters should be uniform. It does not seem to us to be necessary to differentiate these qualifications between different parts of these provinces, except for the greater part of the Kumaon Division for which we would make special recommendations. The unequal distribution of population and wealth, such as there is, can so far as practicable be met by an arrangement of constituencies somewhat on the lines suggested below. We therefore propose that the following persons should have a vote at elections of members of the Provincial Legislature :

1. All persons paying income tax.
2. All persons qualified to vote at any municipal election.
3. All persons assessed to any tax imposed by extra municipal local authority.
4. All agricultural tenants paying a rent of Rs. 50 or upwards annually.
5. All land-holders paying land revenue of Rs. 25 or upwards annually.
6. All graduates of any university.

2. A committee of the members of the local Legislative Council was recently appointed to consider the proposals contained in the resolution of the Government of India on Local Self-Government (No. 41, dated the 16th May, 1918) and to advise as to the action to be taken. In its report dated the 16th October, 1918, this committee has unanimously recommended that the qualifications of district board voters should be those mentioned above under heads 1, 3, 4, & 5. We see no reason why a different standard should be adopted for the Council franchise. Heads 1 and 2 introduce the same principle in urban areas. As to head 6 the qualification is recognized by certain municipalities and we propose to extend it to all municipalities as well as to rural areas.

As for Kumaon we would adopt the recommendations made by the committee of the Council referred to above and suggest that, except in the tahsil of Kashipur, every person paying land revenue and every tenant paying Rs. 50 or more annually as rent should be entitled to a vote.

3. The exact figures for each head are not available to us but those that are available furnish sufficient *data* to proceed upon. They are as follows :—

	Total for the Province
(a) Persons paying income tax (head 1) ...	41,392
(b) Persons qualified to vote at municipal elections (head 2)	118,310
(c) Agricultural tenants paying a rent of Rs. 50 or more or assessed to any tax imposed by extra municipal local authority (heads 2 & 4)	845,000
(d) Land-holders paying an annual revenue of Rs. 25 or more or assessed to any tax imposed by extra municipal local authority (heads 2 & 5)	313,000
Total	1,317,702

There are no statistics available to us on head 6 but many graduates will come under head 2 and the number of those that remain will not for the present materially affect the total electorate.

4. The total number of voters in these provinces thus comes to about 1,318,000 which in our opinion is none too large an electorate for a population of nearly 48 millions, and only means that there will be one qualified voter for every 36 of the population. In arriving at this conclusion we have kept in view the principle enunciated in paragraph 226 of the report, that the franchise should be as broad as possible, and have taken due account of the considerations referred to in that paragraph. We do not think that the electorate suggested by us will "lead to a break down of the machinery by sheer weight of numbers."

Registration of Voters.

5. The register should, in our opinion, be compiled for the most part from existing materials. Reliable records giving the names and particulars relating to qualification of the land-holders and agricultural tenants are available in the revenue offices of the provinces. So also are lists of payers of income and other taxes. As for graduates we are of opinion that their names should be brought on the register on their own application supported by the necessary certificates of qualification and identity. The original university diploma or a certified copy of the same with a certificate of identification signed by a judicial, executive or military officer or an advocate, attorney, *vakil* or pleader or a qualified doctor, should in our opinion be sufficient. It will thus appear that the difficulties of registration experienced in other countries will not arise here. Provision however must be made for the adjudication of claims and objections and for this purpose we would recommend a system similar to that of

revising barristers in England by empowering the High Court to appoint advocates, vakils, attorneys and pleaders of a certain standing as revising authorities.

Electoral divisions and sub-divisions.

6. It is obvious that the electorate of these provinces cannot, any more than that of any other country, for practical purposes be arranged into equal divisions both as regards area and numbers of qualified voters. Some constituencies must necessarily be smaller as regards numbers of qualified voters and larger in area than other constituencies. It is desirable to secure approximately the same proportion of representation to all constituencies large or small. The only means of doing this, which we can think of, is to have such a number of representatives in the legislature as would admit of assigning to each a constituency of moderate size, and at the same time secure the due representation of the whole electorate by enabling as far as possible every qualified voter in the province to exercise his right in one constituency or another. The establishment of a suitable number of polling booths in convenient localities situate within the constituency would make the whole process of election easily manageable by the usual complement of election officials and will cause no great inconvenience to the candidates or their voters.

7. The tahsil is the unit of the revenue administration in these provinces. There are 217 tahsils but they vary considerably in area and population. We have no statistics before us to show how persons of the necessary qualification to vote are distributed in these tahsils, and it is not possible for us to frame a detailed scheme showing the principal divisions and sub-divisions of the electorate. We take it however that the principal town or village in which the tahsil office is situate usually would have a larger population of qualified persons than the outlying villages. Taking the head quarters of the tahsil as the centre it would be possible to demarcate the limits of a constituency within a given radius, though in doing so it may be necessary to include portions of one or more neighbouring tahsils. In any case it appears to us possible to form some 200 constituencies of convenient size in the various tahsils excluding towns having a population of over 75 thousand. There are eight such towns in these provinces, namely, 1, Lucknow, 2, Agra, 3, Allahabad, 4, Benares, 5, Cawnpore, 6, Moradabad, 7, Bareilly and 8, Meerut, which having regard to their importance deserve to be specially treated. We therefore recommend that there should be 208 electoral divisions in the provinces, the tahsils usually to form the nucleus of 200 of these and the cities mentioned above of the remaining eight. We admit that it will require a good deal of time and labour to determine the limits of the tahsil constituencies but such work is essential and has to be done when new constituencies are brought

into existence. A smaller number of constituencies will not secure anything like adequate representation of the people. It will be seen that the electorate we have suggested comprises a very large number of agricultural tenants, and it is chiefly in their interest that we have put the number of tahsil constituencies at 200. We think that a large majority of the tenants having the qualifications we have recommended are sufficiently intelligent to acquire the necessary capacity for the proper exercise of the right of vote after a short training. It should be our object to afford them every facility in acquiring that capacity.

8. The next step is to determine the full strength of the House and to see how the representation of the various constituencies is to be assigned to the members. We recommend that the provincial legislature should consist of at least 236 elected members and would distribute their seats as follows :—

I. Tahsil constituencies, one for each	...	200	
II. Large cities	...	24	
(1) Lucknow	...	5	
(2) Allahabad	...	4	
(3) Benares	...	3	
(4) Agra	...	3	
(5) Cawnpore	...	3	
(6) Bareilly	...	2	
(7) Moradabad	...	2	
(8) Meerut	...	2	
III. Universities :—			8
(1) Allahabad	...	2	
(2) Benares Hindu	...	2	
(3) Mohammedan	...	2	
(4) Lucknow	...	2	
IV. Chambers of Commerce :—			4
(1) Upper India	...	2	
(2) United Provinces	...	2	

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9. We consider that the conditions as to special representation of members other than Mohamedans and those mentioned in paragraph 233 of the report, will be satisfied if 14 to 20 seats are placed at the disposal of the Government to be filled in by officials and non-officials in such proportion as the Government may think fit.

10. The total strength of the House will thus be about 250 which having regard to the size, population and importance of these provinces is by no means too large. We have carefully considered this question and tried to reduce the number of elected representatives but are unable to make any substantial reduction without impairing the effective representation of the people. The only alternative which suggested itself to us was that the number of

seats allotted to the tehsils might be reduced by half and thus the total strength of the House might be brought down to 150. But having regard to the importance of the interests concerned we did not feel justified in adopting this course. The number of members assigned to the other constituencies suggested by us does not in our opinion admit of any reduction as those constituencies are at present the best fitted for the proper exercise of the right of vote.

11. It will be observed that we have taken into account the Muslim and the Lucknow Universities which are still in the making. When they come into existence it may be possible in their case to start with only one member for each.

Communal Representation.

12. We do not think it necessary to provide for the special or separate representation of any community in these provinces other than Mohammedans. As to the latter the proportion of representation has already been agreed upon between the leaders of the two great communities and has for these provinces been fixed at 30% of the selected members. All that remains is to distribute this proportion of seats among the Mohammedan population. In allotting members to the large cities we have followed the principle that wherever there is a population of from 25 thousand to about one lakh of any particular community we have given it one member and for every excess of fifty thousand over one lakh we have given one additional member. Accordingly Lucknow will have 2 Muslim and 3 non-Muslim members, and the other towns will have 1 Muslim member and the remainder non-Muslims. The towns which need not in our opinion be specially treated will be included in the Tahsil constituencies and it will be easy to carve out of the latter a sufficient number of Mohammedan contituences to return as many Mohammedan members as would bring up their total in the Council to 30%. In selecting certain towns for special treatment we have kept three things in view *viz.*, their population, the number of qualified voters resident therein and their importance in other respects.

13. We do not think that it is at present necessary to introduce a system of plural voting but we should have been glad to provide for proportional representation to secure the return of an adequate number of Mohammedans instead of giving them separate representation. We feel, however, that we are not at liberty to go behind the agreement arrived at on the subject and can only express the hope that proportional representation will take the place of separate representation in the near future.

The Indian Legislative Assembly.

14. We entirely agree in the observation in paragraph 273 of the report that "It is obviously desirable to deal on uniform

lines with the electoral arrangements both in the Provincial and Indian Councils" and share "the decided preference" of the distinguished authors "for a system of direct electorates" but we find ourselves unable to look upon the "immensity of the country" as an insurmountable difficulty in the way of achieving these objects. If the electorate we have suggested for the Provincial Council is free from serious objection, as we believe it is, there is no reason why it should not answer the purposes of the Supreme Council as well. We find that by the constitution of the United States the right of suffrage in federal or national elections is conferred upon those who vote at the election of the more numerous house of each State. In comparison to the numbers of voters in the United States the number we propose is insignificant and making every allowance for the highly developed electoral machinery available in the United States we think that the system should succeed in this country. The only change which will be necessary would be in the size of the constituencies and this may be done by grouping two or more together. There will be no considerable extra inconvenience to voters by this change and such as there is likely to be to the candidates will not be serious. Any other method of direct representation will entail the formation of new constituencies and preparation of a new register which will only complicate the system without affording corresponding advantages. If, however, the inconvenience to candidates is considered a serious bar to the adoption of this method of direct representation it may be modified by the introduction of a system of panel or delegates to be elected with the special object of voting for a member or members of the Indian Legislative Assembly. This system has obvious advantages over indirect representation and at the same time obviates many of the inconveniences due to an extensive and widely scattered electorate. We are therefore in favour of having the same electorate for the Indian as for the Provincial Council and would give it the right to vote either directly or through specially elected delegates.

15. The alternative of indirect representation proposed in the report is under the terms of reference to this committee to be resorted to only if a system of direct election is not found feasible. We have pointed out that in our opinion it is. But if the committee think otherwise we think that a system of indirect representation should be devised on as broad a franchise as possible. The Provincial Council will form too small an electorate for the purpose, but the only practical means of widening it appears to be to extend the franchise to all members of the municipal and district boards in the province. We find that there are under the rules in force 1070 members of the district and 1092 of the municipal boards, making a total of 2162, which may be classified either according to existing revenue divisions or assigned to special electoral divisions to form the required number of constituencies. A special direct electorate for

Mohammedans is already in existence and it can be suitably widened to meet the necessary changes in the constitution. Should therefore an indirect system of representation be decided upon we would confine it to non Moslems and provide for the desired number of constituencies from among the members of the Provincial Council, district and municipal boards. This method is no doubt open to all the objections which apply to indirect representation, but possesses at least the merit of extending the franchise to a larger number of voters than would be the case if the right to elect the members of the Indian Legislative Assembly is confined to the Provincial Council.

16. We note that under the terms of reference this committee is not restricted to the exact numerical strength of the Indian Legislative Assembly suggested in the report, and are of opinion that the number of elected members in the Indian Legislative Assembly should not be less than that in the Provincial Council, and that these Provinces should have the same representation as the three Presidencies.

Council of State.

17. We are entirely opposed to the establishment of the Council of State on the lines suggested in the report. We appreciate the reasons for the establishment of an upper Chamber in the constitution, but such Upper Chamber should in our opinion be so constituted as to afford its justification on constitutional grounds. We think there should be a preponderance of the popular element in such a chamber and that it should not be entirely under official control. If therefore the establishment of a Council of State is decided upon we recommend that a majority of the members should be elected by the Provincial Councils.

Disqualification of voters.

We have no special suggestions to make as to the disqualification of voters. The usual rules as to the age limit and other matters such as unsoundness of mind, conviction for an offence implying moral turpitude and punishable by imprisonment for not less than a certain term &c., should apply.

Note by Pandit Motilal Nehru.

Illustrative Schemes.

Submitted on behalf of the U.P. Provincial Congress Committee on the assumption that Taluqadars and Agra Landholders will form ^{separately} special electorates and framed at the request of the Hon'ble Mr. Surendra Nath Bannerji, Member of the Franchise Committee.

I.

Total number of members - - - - - 150

Deduct:

Nominated	35	
Universities.....	3	
Allahabad.....	1	
Benares.....	1	
Aligarh.....	1	
Chambers of Commerce.....	3	
Upper India.....	2	
U. P.	1	
Taluqadars Say	3	
Agra Landholders Say.....	3	47
Balance		103
(B) 30 % Muslims		31
(A) Balance Non-Muslims.....		72

Constituencies for the general Muslim and Non-Muslim electorates:

(A) Non-Muslim Urban	19	
Lucknow	2	
Allahabad.....	2	
Each of the remaining 15 large towns with population over 50,000- one	15	
Non-Muslim Rural and Small Urban.....		53

72

(2)

(B) Muslim Urban8

(Note. These may either be distributed among the 8 larger cities by assigning one member to each city and including the remaining 9 cities of population over 50,000 in the rural and small urban electorates or to groups formed out of all the 17 large towns.)

Muslim Rural and small Urban23

Total 31

II.

Total number of members.....125

Deduct:

Nominated25

Universities..... 3

Allahabad.....1

Benares.....1

Aligarh.....1

Chambers of Commerce.....5

Upper India 2

U. P. 1

Talqadars.....Say 2

Agra Landholders Say 2.....35

Balance.....90

(B) 30 % Muslims27

(A) Balance Non-Muslims..... 63

(A) Non-Muslim Urban Constituencies,
one member to each of the 17
large cities.....17

Non-Muslim Rural and small
Urban.....4663

(B) Muslim Urban.....7
(See note under (B) P.2)

Muslim small Urban and Rural.....20

27.

Note - As we have said in the original printed note submitted by us and also in the further note forwarded today we are not in favour of giving any separate representation to Talqadars and Agra landholders as such and have drawn up the above

above schemes at the special request of the Hon'ble Mr. Surendra Nath Bannerji. Our Committee adheres to the opinion that it is necessary to have 250 members in the Provincial Council in order to secure a fair representation of all the interests concerned specially those of the agricultural tenants. These schemes have been drawn up in consultation with my Colleague the Hon'ble Pandit Madan Mohan Malawya.

Dated Benares
November 29th -1918.

Sd. Motilal Nehru.

Memorandum for the Franchise Committee.

I.—THE PROVINCIAL LEGISLATIVE COUNCIL.

As happily in these Provinces there is no communal controversy, there is no necessity to provide for any separate communal representation except that of the Muhammadans. The other special electorates to be provided for are: the University, the Landholders, the Commerce and the Europeans.

In all electorates, whether special or territorial, the election should be direct by the voters.

To broaden the franchise in the University, the election should be made by the ordinary and honorary fellows, the registered graduates and the professors of the affiliated colleges.

The franchise for landholders should be the same as at present, *viz.*, all landlords paying a revenue of Rs. 5,000 or more.

The Commerce will be represented by two members, elected by the Upper India Chamber of Commerce and the United Provinces Chamber of Commerce.

In all other electorates, including the Muhammadans and the Europeans, the qualification for voters should be:—

- (a) All persons assessed to any Imperial or Provincial tax;
- (b) All persons on the Municipal or District Board Voters' lists;
- (c) All persons paying a land revenue of Rs. 25 a year;
- (d) All tenants paying a rent of Rs. 50 per annum;
- (e) All persons having attained a certain standard of literacy.

The qualification for a candidate would be one year's residence in the Province and his name being on the electoral roll.

A voter should be given the option to have his name enrolled either in the lists of the general electorate or in the lists of any special electorate for which he is qualified.

The Muhammadans, Landholders and Europeans who have been given separate representation should not be allowed to vote in the general territorial electorate.

No voter to have more than one vote in the Province. If a person is qualified to be registered as a voter in more than one district, he should be given the option to choose in which district he should be enrolled.

To fix the limits of the territorial electorates and to arrive at the number of the Council members it is necessary to know what would be the probable number of voters in each district. The Government has so far not published any statistics, and therefore any suggestions now made are open to correction and amendment.

I would in the first instance proceed to give each revenue district in the Province, one member, and each Municipality, with a population of 50,000 and over, one member. If in any district or municipality, the number of voters exceeds the average for each district or municipality by one-half, I would give that district or municipality an additional member. If the number is three times the average, it will return three members, and so on.

The average for each district or municipality will be taken by dividing the total number of district or municipal voters by the number of the districts or municipalities.

According to the Congress-League Scheme, the number of Muhammadan members would be three-sevenths of the number elected by the general electorate.

Working out roughly, I would like the United Provinces Legislative Council to be formed as below:—

	Member.
1. Allahabad University	1
2. Benares Hindu University	1
3. Upper India Chamber of Commerce	1
4. United Provinces Chamber of Commerce	1
5. Europeans	4
6. Zamindars (Agra 3, Oudh 2)	5
7. Districts	48
8. Municipalities	16
9. Additional for bigger districts and municipalities	25
10. Muhammadans	38
11. Nominated officials and non-officials	35 (1/3th of the total).
Total	175

The Muhammadan members will also be elected by territorial electorates constituted of Muhammadan voters. But in their case, two or more districts may have to be united into one and municipalities having a population of 100,000 or over may alone be given a right to return a member. But all this can be worked out when the number of voters is known.

The number 175 has been fixed with due regard to the population, the area and the various interests of the Province, as well as with a view to give opportunity to as many aspiring young men to serve the community as possible. Considering that the authors of the Report suggest 100 for the Indian Legislative Assembly, this number for a Provincial Council is not too large.

II.—INDIAN LEGISLATIVE ASSEMBLY.

In my opinion it is practicable to have direct election for the members of the Indian Legislative Assembly.

The constituency should be the revenue divisions in the Province, possibly two divisions united into one according to the number of the voters.

The qualifications for a voter, according to my suggestion, may be as follows:—

- (a) All persons assessed to an Imperial or Provincial tax on an annual income of Rs. 2,000 or above;
- (b) All persons paying a land revenue of Rs. 50 a year;
- (c) All persons paying an annual rent of Rs. 100 a year;
- (d) All members of the Municipal and District Boards;
- (e) All Honorary Magistrates, Honorary Assistant Collectors, Honorary Munsiffs;
- (f) All title-holders;
- (g) All graduates of 3 years' standing;
- (h) All retired Gazetted officers of the Government, enjoying a pension of Rs. 100 or more.

The number of members to be elected from these Provinces for the Indian Legislative Assembly may be taken at 13, divided as below:—

	Members.
General electorate (Divisions)	7
Muhammadans	3
Europeans	1
Landholders	2

The last three will not be allowed to vote in the general territorial electorate.

The franchise for landholders may be retained as at present, viz., those paying a land revenue of Rs. 10,000 or more.

The qualifications for candidates to be residence in the Province for one year and their names being on the electoral roll of the Province.

III—COUNCIL OF STATE.

The members for the Council of State will be elected by the Provincial Legislative Council, in which Landholders, Muhammadans and Europeans will also take part. If, however, the Government finds that a Muhammadan or a Landholder is to be elected from the Province (out of the six mentioned in paragraph 277), then I would suggest to maintain the present franchise for the members of the Viceroy's Council for these classes.

A person will be qualified to be elected to the Council of State if—

- (a) he has been or is a member of a Provincial Legislative Council or the Viceroy's Council;
- (b) he has been or is the chairman of a municipality having a population of 50,000 persons or more, or the chairman of a District Board;
- (c) he has been a Gazetted officer of the Government and draws a pension of Rs. 250 or more;
- (d) he pays a land revenue of Rs. 10,000 or more per year;
- (e) he pays an income-tax on an annual income of Rs. 10,000 or more;
- (f) he has been nominated as a candidate by any ten members of a Provincial Legislative Council, or Indian Legislative Assembly, or both.

NARAYAN PRASAD ASHTHANA,

ALLAHABAD: } (Member, United Provinces Legislative Council.)
 The 16th November 1918. } Vakil, High Court.

1. (1) I do not think it necessary to include in the franchise a separate educational qualification. But I would make an exception in favour of graduates of any university residing in urban or rural areas and give them a vote as such.

(2) I would give a vote to all military and civil pensioners who receive a pension of Rs. 7-8-0 a month or more, and also to all teachers as such.

2. I prefer to accept the local Government's proposals on the question of franchise. If however it is felt that a lower qualification should be accepted in the Division of Bundelkhand as it has been in Kumaon, I shall have no particular objection. Nor would I object to the raising of the qualification in Kumaon if it is eventually divided into two and not three electorates.

3. I think it very necessary to increase the number of urban representatives in the council and would give a seat to every town with a population of 50,000 or more; i.e., to 9 or 10 more towns according as Mirzapur is excluded or included. I am opposed to the grouping of widely separated towns into one electorate.

4. (1) I would divide Bulandshahr, as also Gorakhpur, into two constituencies each. I would do the same with Basti on the ground of population and Meerut on the ground of the largeness of the electorate.

(2) I would divide Kumaon into three and not two constituencies.

(3) I would give a minimum of one member to each and every district with the only exception of Dehra Dun.

5 and 6. I would retain the existing representation of the Talukdars of Oudh and the large landholders of Agra, and allow them to participate in the general electorates. In the alternative, I would give them three members each and exclude them from the general electorates both as voters and as candidates.

7. I would give the Benares University one member, and one member each to Aligarh and Lucknow Universities when they are established. I would not give a member to Aligarh College in anticipation of its being expanded into a University. I would allow, in the case of the Benares University, only those members of the court and senate to vote who are ordinarily resident or have resided for twelve months in the United Provinces. I would also give the vote to those registered graduates of the University who satisfy the condition as regards residence.

8. I would include the registered graduates among the voters for the University seat. But they must satisfy the condition as regards residence.

9. Regarding joint Hindu families, I would give the vote to as many adult members of the family as would be entitled thereto if the aggregate amount of revenue or tax paid by the family is divided into equal shares. I would follow the same rule with regard to joint revenue or tenant holdings. This would be wholly without prejudice to the actual share to which any member of the family may be entitled in law.

10. I would give equal representation to two Chambers of Commerce. I would give one to each.

11. As it is provided in the report that the Government may nominate members to the Grand Committee from the whole body of non-official members, and as a maximum, not a minimum, of official members is fixed the question of Grand Committees should present no difficulties.

12. I would constitute the United Provinces Legislative Council as follows:—

1. Mixed urban and rural electorates 73

(i) Non-Muslim 51

1 member per district (Dehra Dun being joined 47 to Saharanpur).

1 additional member for each of the Districts 4 of Gorakhpur, Basti, Meerut and Bulandshahr.

(ii) Muslim in the ratio of 3 : 7 22

2. Urban electorates 1

(c) Non-Muslim—
1 member for every one of the towns with a population of 50,000 and over.

(ii) Muslim in the ratio of 3 : 7 7

3. Special electorates—

1. Europeans	2
2. British Indian Association	1
3. Agra landholders paying Rs. 5,000 revenue and over	1
4. Allahabad University	1
5. Benares University	1
6. Upper India Chamber of Commerce	1
7. United Provinces Chamber of Commerce	1
Total	8

Total of elected members 105

4. Official and nominated non-official members 20

Total strength of Council 125

Non-Muslim	68	(1) Mixed urban and rural	73	} 97
Muslim	29	(2) Separate urban	24	
		(3) Special	8	
Total	97	(4) Nominated	2	
		(5) Official	18	
		Total	125	

13. I propose that the Legislative Assembly should consist of 128 members, of whom 14 will be elected from this Province, as under:—

1. General—

Meerut Division	1
Agra	1
Allahabad	1
Benares	1
Lucknow	1
Fyzabad Division	1
Rohilkhand and Kumaon Division	1
Gorakhpur and Jhansi	1
Total	8

2. Muslim—

1. Meerut, Rohilkhand and Kumaon	1
2. Lucknow, Fyzabad, Gorakhpur	1
3. Agra, Allahabad, Benares and Jhansi	1
Total	3

3. Landholders—

Agra	1
Oudh	1
Total	2

4. Europeans

Total	1
Total	14

The rest of the Assembly will be composed of 14 elected members each from Bengal, Madras and Bombay; 11 each from the Punjab and Bihar and Orissa, 8 from Central Provinces and Berar, 4 each from Burma and Assam, 1 each from Ajmer-Merwara and North-West Frontier Province and 32 nominated members of whom not more than two-thirds should be officials.

For the purposes of the election Delhi should be considered as a part of the Punjab.

The qualifications for voters of the Legislative Assembly should be—

1. Payment of Government Revenue Rs. 100 or more annually.
2. Payment of rent Rs. 200 or more annually.
3. Payment of Municipal Taxes amounting to Rs. 20 or more annually.
4. Payment of District Board Taxes Rs. 20 or more annually.
5. Payment of Income Tax on any amount.

C. Y. CHINTAMANI.

Dated 30th November 1918.

Scheme showing proposed list of provincial subjects.

NOTE.—The control of the Government of India is largely exercised through the Financial Codes and standing financial orders. It is presumed that with the separation of Imperial and Provincial finances these restrictions will be largely abrogated. This is a matter, however, which is under separate consideration, and accordingly no attempt has been made in the scheme below to indicate the extent to which the abolition or relaxation of the existing financial control is desirable.

2. It will be observed that in regard to certain subjects the recommendation made is that legislation should be Imperial, or if undertaken by the Provincial legislature, should require the previous sanction of the Government of India. This is based on the view that while the local legislature should be definitely debarred from legislating on certain subjects, e.g., Army, Currency—there are other subjects in regard to which local legislation need not be prohibited if the prior sanction of the Government of India has been obtained, though in general legislation should be Imperial. An example is the Prisons Act IX of 1894. Uniform legislation on the subject of prisons is desirable, but local amendments may occasionally be needed.

Subject.	Existing position.	Recommendations.
I.—Taxation for Provincial purposes.	Entirely controlled by the Government of India apart from the local taxes imposed by local bodies.	It is an indispensable condition for any real autonomy in the Provincial Councils that the Provincial Government should be given freedom to impose new taxation or to alter the rates of taxation. The latter power must be given without restriction in the case of taxes or revenues definitely assigned to Provincial Governments. As regards the former the difficulty is that the Imperial and Provincial Governments must each have a reserved residuary power of taxing and there must be some method of reconciling their conflicting claims to share in the untouched taxable resources of the country. As the Government of India have to look after the most essential needs of the country and must be in a position to secure adequate resources for carrying out its indispensable functions, it must have the power to prevent the Provincial Governments impinging upon its revenues and therefore must have the determining voice in deciding whether a Provincial Government has the power to impose a new tax. But while the normal procedure with regard to taxes not yet thought of would be that the Provincial Government might not impose them without the sanction of the Government of India, it would avoid friction and trouble if the taxes which the Provincial Government might impose or alter are definitely scheduled in the statutes.

Subject.	Existing position.	Recommendations.
<p>II.—Borrowing on sole credit Provincial revenues.</p>	<p>Not permissible</p>	<p>and provision made that any proposal to impose any tax other than those scheduled should be referred for the orders of the Government of India. As soon as a decision is arrived at on any proposal of a Provincial Government regarding a new tax it should be immediately added to the list in the schedules. The procedure would in fact be similar to the existing procedure with regard to local bodies, such as municipal boards. Municipal Acts contain a complete statement of the taxes which they may impose without reference to the Government of India, with a general clause which empowers the boards to impose any other tax if the sanction of the Government of India is previously obtained. When such other taxes have been frequently imposed, an amending Bill is usually brought in to add these to the list of taxes which are reserved for municipal boards. The power to impose or alter any of the scheduled taxes should be exercised by the Local Government without any control from the Government of India. This is practically the proposal contained in paragraph 210 of the report. As regards definite proposals for taxes to be included in the schedule it has been suggested that the taxation of land increment values, the imposition of succession duties and taxes on advertisements should be scheduled as belonging to the Provincial Governments.</p> <p>While it is theoretically desirable in the name of autonomy that the Provincial Governments should have the power to borrow on their own responsibility, it is impossible to ignore the fact that at the present time the Local Governments if they attempted to raise loans on their own security in the open market would probably have to pay very high rates of interest, that they would have to compete with the other Local Governments and the Government of India in the open market, and that the failure of a single Government to meet its obligations would have a serious effect on Indian credit as a whole. It will, therefore, probably be necessary, at all events, for the present, that the Local Government should borrow from the Government of India. It is desirable that so long as this state of affairs</p>

Subject.	Existing position.	Recommendations.
<p>III.—Financial work on behalf of the Government of India—e.g. Collection of income-tax, etc.</p> <p>IV.—Imperial services</p>	<p>Controlled by the Government of India</p> <p>All appointments to a service are made by the Secretary of State, and no officer can be dismissed except by the Secretary of State. The qualifications for appointment, conditions of service, pay, pension, classes of appointment within a service and the strength of the service, etc., are regulated by the Secretary of State. Within the province appointments are made by the Local Government except those of (1) Inspector-General of Civil Hospitals, (2) Chief Conservator and Conservators of Forests, (3) Chief Engineers. The sanction of the Government of India is required to the appointment of members of the Board of Revenue.</p>	<p>continues the Government of India should, as proposed in paragraph 211 of the report, regard applications for a loan solely from the standpoint of finance and should not criticise the merits of particular schemes for which the loans are required. If a Local Government however thinks that it can float a loan at a reasonable rate of interest, whether an application for a loan from the Government of India has been made and rejected or not, it should be allowed to do so; but, as suggested in the report, the approval of the Government of India should be required to the method of borrowing, including the rate of interest and the time of borrowing so that the Government of India and the Local Government should not be in the market at the same time.</p> <p>Subject to any restrictions or orders of the Government of India.</p> <p>No change is proposed except (a) as regards the strength of the service. It should rest with the Local Government to determine the number of officers of each class in each service required for the purposes of Provincial administration, except in the case of the Indian Medical Service. If the Indian Medical Service continues to be organized on the existing lines, it must rest with the Government of India to determine the number of Indian Medical Service officers to be assigned to each province. The creation or abolition of any class of appointment must rest as at present with the Government of India and the Secretary of State. (b) It should be open to the Local Government to select officers for appointment to the posts of Inspector-General of Civil Hospitals, Chief Conservator and Conservators of Forests and Chief Engineers from officers serving in the province, if in its opinion suitable officers are available. If no suitable officers are available in the province the Local Government should be entitled to select an officer from the list of officers available furnished to it by the Government of India. The existing orders are based on the view that a more even flow of promotion and a wider field of selection is thus secured. In these</p>

Subject.	Existing position.	Recommendations.
<p>IV.—(a) The appointments, conditions of service and control of all Provincial (including subordinate) services.</p>	<p>All appointments are made by the Local Government which can also dismiss any officer, subject to an appeal to the Government of India, but no large addition can be made to any service nor, in the case of services the pay of which exceeds Rs. 800 per mensem, can the average pay be raised without the sanction of the Government of India and the Secretary of State. The conditions of service (pay, grading, classes of appointments, etc.), are accordingly regulated by the Government of India. Pensions are regulated by the Civil Service Regulations.</p>	<p>provinces, however, the cadres are already sufficiently large to admit of a fair field for selection. The Decentralization Commission recommended that where this condition was fulfilled the appointments of Chief Engineers and Conservators and Chief Conservators should rest with the Local Government, and the principle appears to be equally applicable to the appointment of officers to the post of Inspector-General of Civil Hospitals.</p> <p>The conditions of service, qualifications for appointment, pay, class of appointment and pension should be entirely within the competence of the Local Government. As regards appeals against orders of punishment see under Memorials and Appeals.</p>
<p>V.—Maintenance of law and order— (1) Administration of criminal justice, including village courts. (a) Constitution of courts and procedure.</p>	<p>(a) The constitution of the High Court and the appointment of High Court Judges are regulated by the Government of India Act. Permanent appointments are made by the Secretary of State. The Local Government has power to fill temporary vacancies and the Government of India have power to appoint Additional Judges for periods not exceeding two years.</p> <p>(b) The constitution of the Court of the Judicial Commissioner is regulated by Act XIII of 1879 and Act XIV of 1891 as amended by the United Provinces Act II of 1917. The sanction of the Government of India is required for the appointment of the Judicial Commissioner and the Additional Judicial Commissioners.</p> <p>(c) The constitution and powers of the subordinate criminal courts are regulated by the Criminal Procedure Code. Under section 7 the sanction of the Governor General in Council is required to any alteration in the limits of sessions divisions or districts comprising divisions. Further restrictions are contained in section 14 (delegation of power to appoint special magistrates); section 269 (power to order trial before court of sessions to be by jury); section 495 (rank of police officer who may conduct</p>	<p>Legislation should be reserved for the Imperial legislature.</p> <p>The Local Government should have power to appoint Additional Judges of the High Court or Judicial Commissioner's Court for periods not exceeding two years.</p> <p>Uniformity in the law of Criminal Procedure is desirable. Legislation should therefore be Imperial. The restrictions imposed by sections 14, 269, 495, 544 and 565, however, are unnecessary and should be removed.</p>

Subject.	Existing position.	Recommendations.
	<p>prosecution); section 544 (rules regarding the expenses of witnesses); section 565 (rules regarding the notification of residence of previously convicted persons).</p> <p>The Criminal Law Amendment Act, 1908, prescribes a special procedure for the trial of certain offences in Bengal and Assam. The extension of this Act to any province requires the sanction of the Government of India, and under section 2 in provinces to which the Act is extended the Local Government cannot take action without the sanction of the Government of India.</p>	<p>If circumstances in any province require the prescription of a special procedure for the trial of certain offences, it should be within the competence of the local legislature to pass the necessary legislation—such legislation is of an emergency character designed to meet conditions special to particular areas, and the Local Government and the local legislature are in the best position to decide as to the need for such legislation and as to the form it should assume. The restrictions imposed by sections 1 and 2 of the Criminal Law Amendment Act, 1908, should be removed.</p>
(b) Village courts ...	<p>There are at present no village courts exercising criminal powers.</p>	<p>(a) Legislation establishing village courts and regulating their constitution, powers and procedure, should be reserved to the Provincial legislature.</p> <p>(b) Administration should also be Provincial.</p>
(c) Administration ...	<p>All Judges, other than High Court Judges, and all magistrates are appointed by the Local Government. The Local Government can also remove all Judges (except High Court Judges and the Judicial and Additional Judicial Commissioners of Oudh) and all magistrates. Administration is thus Provincial.</p>	<p>Administration should remain Provincial.</p>
(2) Police ...	<p>(a) Legislation.—Police administration is regulated by Act V of 1861. Under section 2 of this the Local Government's power to fix the numbers, pay and constitution of the police is subject to the control of the Government of India. Under section 3 the superintendence exercised by the Local Government is subject to the control of the Government of India.</p> <p>(b) Administration.—Apart from financial restrictions the Government of India exercise control by means of resolutions or orders on points of detail issued from time to time.</p>	<p>(a) Legislation amending or adding to the Police Law should be within the competence of the local legislature except as regards railways, legislation in regard to which should require the previous sanction of the Government of India. (Cf. the recommendation of the Royal Commission on Decentralization, paragraph 351.)</p> <p>(b) As the law of Criminal Procedure is uniform throughout India, and will presumably remain so, the general lines of organization for the investigation and prosecution of crime must no doubt be practically or largely uniform also. But subject to conditions imposed by the law of Criminal Procedure the discretion of the Local Government should not be fettered in respect of this subject. To this, however, there is one exception.</p>

Subject.	Existing position.	Recommendations.
(3) Criminal tribes ...	The law on the subject is embodied in Act III of 1911. Under sections 11 and 12 the sanction of the Government of India is required for the restriction of the movements of tribes. Under section 16 the Government of India has concurrent power to establish settlements. Under section 19 the Government of India transfer prisoners to settlements in other provinces. Administration is Provincial.	The Government of India regulate the number and kind of arms and the scale of ammunition supplied to the armed police, and this control should remain. The Department of Central Intelligence must remain under the Government of India, but it has long been settled that it exercises no executive functions in respect of the provinces. Legislation should be within the competence of the local legislature. The problems involved are not identical in all provinces and uniform legislation is not essential. Under their concurrent and overriding power of legislation the Government of India can legislate, if necessary, for the co-ordination of work as between different provinces. The restrictions in sections 11 and 12 are unnecessary and should be removed. Administration should remain Provincial.
(4) Prisons ...	(a) Legislation is embodied in Act IX of 1894 and Act III of 1900. The latter Act is largely adjectival to the Criminal Procedure Code. (b) Administration is Provincial ...	(a) Uniformity of legislation is desirable. This is indicated by the conditions obtaining before the Act of 1894. Legislation should therefore be Imperial, or if undertaken by the local legislature should require the previous sanction of the Government of India. (b) Administration should remain Provincial.
(5) Particular Acts— (a) Seditious Meetings Act.	This Act applies only to such provinces as the Government of India may direct, and the Local Government's power to proclaim any area is subject to the sanction of the Government of India.	Legislation should be Imperial. The application of the Act should, however, rest with the Local Government.
(b) Infanticide Act ...	Act VIII of 1870. Under section 1 the Government of India's sanction is required to the issue of notifications regarding female infanticide and under section 3 rules under the Act require its confirmation.	Legislation should be Imperial. The restrictions imposed by sections 1 and 3 should be removed.
(c) Press and Registration Act of 1867 and Press Act of 1910.	The administration of these Acts rests with the Local Government.	Legislation should be Imperial. Administration should remain Provincial.
(d) European Vagrancy Act IX of 1874.	Under section 14 rules for the management of workhouses require the sanction of the Government of India. Under section 26 fines are credited to the Government of India or as it may direct. Administration is Provincial.	Legislation should remain Imperial but the restrictions in sections 14 and 26 are unnecessary. The administration should remain Provincial.

Subject.	Existing position.	Recommendations.
(e) Arms Act ...	The present Act will probably be revised. Administration is at present Provincial.	(a) Legislation should remain Imperial. (b) Administration should be Provincial as at present.
(f) Cattle Trespass Act, Act I of 1871.	Administration of this Act is Provincial	Legislation should be within the competence of the local legislature and the existing Act should probably be replaced by a local Act better adapted to local conditions. Administration should remain Provincial.
(g) Poisons ...	Sale and possession are regulated by Act I of 1904.	The control of the Government of India under this Act is unnecessary. While legislation as regards importation into or exportation from British India should rest with the Imperial legislature legislation as regards sale and possession within the province should be reserved for the local legislature.
(h) Gambling ...	The law on the subject is contained in Act III of 1867 which has been modified in so far as the provinces are concerned by United Provinces Act I of 1917.	Uniformity, as evidenced by the fact that Provincial legislation has had to be undertaken, is not necessary. Legislation should therefore be reserved for the local legislature.
(i) Dramatic performances.	Dramatic performances are regulated by Act XIX of 1876. This gives Local Governments a free hand in the matter of administration.	Any further legislation required should be within the competence of the Provincial legislature.
(j) Cinematographs ...	Cinematographs are regulated by the recent Act passed in March 1918. It is contemplated under this Act that certifying authorities should be set up at the ports, which, after examination, will certify that films are suitable for public exhibition, but the District Magistrate and Local Government have power to prohibit the exhibition of any particular film. Licences can be granted subject to rules which may either be made by the Governor General or by the Local Government if power is delegated to it.	The Act does not unduly fetter the discretion of Local Governments, but should further legislation be required it should be within the competence of the Provincial legislature.
VI.—Land Revenue Administration— (a) Assessment of revenue, Collection of revenue and revenue-free grants.	Existing law is contained in a local Act, the United Provinces Land Revenue Act III of 1901. This Act contains the following restrictions on the powers of the Local Government. Under section 11(1) the sanction of the Governor General in Council is required for the creation or abolition of existing divisions or districts. Under section 13(1) sanction is required to the appointment of additional Commissioners. Under section 62 the Governor General in	Since land revenue will be an entirely Provincial receipt, legislation should be within the competence of the local legislature. The restrictions imposed by sections 11(1), 13(1), 62, 63 and 86(3) should also be removed.

Subject.	Existing position.	Recommendations.
<p>(b) Maintenance and procedure of revenue establishments.</p> <p>(c) Maintenance of land records, surveys for revenue purposes and record-of-rights.</p> <p>(d) Relations of landlord and tenants and collection of rent.</p> <p>(e) Court of Wards ...</p> <p>(f) Special laws regarding land tenures.</p>	<p>Council lays down the general principles regulating the rules for the guidance of settlement officers when assessing revenue. Under section 68 the previous sanction of the Governor General in Council is required to the exclusion of a taluqdar from the settlement of his entire mahal. Under section 86(3) the Governor General in Council in cases of doubt declares what shall be a cess.</p> <p>The administrative powers of the Local Government are subject to the following restrictions:—</p> <p>(1) General principles of assessment are subject to the approval of the Government of India.</p> <p>(2) No re-settlement can be undertaken without the previous sanction of the Government of India, if the final revenue under the re-settlement is expected to differ by more than 33 per cent. from the existing revenue.</p> <p>(3) Any extension of the period of settlement has to be reported to the Government of India.</p> <p>(4) The salary of settlement officers is restricted to Rs. 2,000.</p> <p>(5) Settlement calendars have to be submitted to the Government of India for information.</p> <p>There is no legislation on this subject. The administrative control of the Government of India is now purely financial.</p> <p>These are regulated by a local Act, the United Provinces Land Revenue Act III of 1901. Administration is Provincial.</p> <p>These are regulated in Agra by a local Act II of 1901, and in Oudh by the Oudh Rent Act of 1886 passed before the establishment of a Provincial Legislative Council. All appointments of revenue officers are made by the Local Government except in the case of Members of Board of Revenue [see above under (a)]. Administration is thus Provincial.</p> <p>The existing legislation is contained in a local Act IV of 1912. There are no executive restrictions on the powers of the Local Government as regards the administration of this Act.</p> <p>There are at present the following special laws on the subject of the land tenures:—</p> <p>(1) Bundelkhand Encumbered Estates Act I of 1903.</p> <p>(2) Oudh Settled Estates Act II of 1900.</p> <p>(3) Bundelkhand Land Alienation Act II of 1903.</p>	<p>(2) Restrictions 1, 2, 3 and 5 should be abolished. As regards restriction 4 the post of settlement officers should continue to be included in the Indian Civil Service cadre; but the Local Government should be entitled to give whatever allowance it considers proper. Administration should thus be entirely Provincial.</p> <p>It is presumed that with the separation of Provincial and Imperial finances the present financial control will be abrogated or largely modified. Legislation should be reserved to the local legislature and administration should continue to be Provincial.</p> <p>Legislation should be reserved to the local legislature. Administration should continue to be Provincial.</p> <p>Legislation should be reserved for the local legislature. Administration should continue to be Provincial.</p> <p>Special legislation regarding land tenures should be entirely reserved to the local legislature. The restrictions imposed by sections 4 and 23 of the Bundelkhand Land Alienation Act are unnecessary and the power conferred by section 9, Act I of 1869, should in future be exercised by the Local Government.</p>

Subject.	Existing position.	Recommendations.
	<p>Under section 4 of this last Act the sanction of the Governor General in Council is required to notifications determining what bodies of persons are to be notified as agricultural tribes, and under section 23 the sanction of the Governor General in Council is required to the exemption of any district or part of a district or any person or class of persons from the operation of the Act.</p> <p>(4) The Oudh Estates Act I of 1869.</p> <p>Under section 9 of this Act the Governor General in Council has power in certain instances to publish a supplementary list of taluqdars and grantees. The administration of these Acts is Provincial.</p>	<p>The administration of any future special legislation should also be Provincial.</p>
(g) Famine	<p>The sanction of the Government of India is required to any changes in the Provincial Famine Code, and the Government of India requires constant information regarding the progress and conduct of famine operations. Otherwise the control of the Government of India is mainly financial.</p>	<p>With the separation of Provincial and Imperial finances, famine will become a Provincial head and all expenditure thereon will be borne by Provincial revenues. Famine administration should therefore be entirely in the hands of the Local Government.</p>
(h) Land improvement and agricultural loans.	<p>These are governed by Act XIX of 1883 and Act XII of 1884—both Imperial Acts. Under section 4(1) of Act XII of 1884 and under section 10 of Act XIX of 1883, the rule-making power of the Local Government is subject to the control of the Government of India. Administration under these Acts is Provincial.</p>	<p>Any legislation required in future should be within the competence of the local legislature. The restrictions imposed by section 4 (1) of Act XII of 1884, and section 10 of Act XIX of 1883, should be removed. Administration should continue to be Provincial.</p>
(i) Diluvion and alluvion.	<p>The existing law is contained in Bengal Regulation XI of 1825, and in the rulings of the law courts. Administration is Provincial, but is subject to certain executive orders of the Government of India relating to inter-provincial disputes.</p>	<p>Legislation as regards intra-provincial territory should be within the competence of the local legislature. Under its concurrent power of legislation the Government of India can legislate for matters affecting more than one province. Administration should continue to be Provincial, and the restrictions now in force in regard to inter-provincial disputes should be removed. Any such disputes should be settled amicably between the two provinces and only where an agreement cannot be arrived at, should a reference to the arbitration of the Government of India be necessary.</p>
(j) Alienation and grants of State lands and assignment of revenue.	<p>These are at present strictly regulated by the orders reproduced in the Manual of Government Orders, paragraphs 38 to 53, as modified by the Government of India, Finance department resolution of 1916, which strictly limits the powers of the Local Government.</p>	<p>All restrictions at present imposed on the powers of the Local Government should be removed. It may occasionally be necessary for the Government of India to direct the grant of lands or assignment of land revenue to deserving soldiers, but in such cases the Government of India should defray the cost of the grants.</p>

Subject.	Existing position.	Recommendations.
VII.—Agriculture ...	<p>Legislation is at present Imperial and is confined to plant and animal diseases. (Destructive Insects and Pests Act II of 1914, the Glanders and Farcy Act XIII of 1899, the Livestock Importation Act IX of 1898.)</p> <p>Administration is Provincial, the control of the Government of India being exercised, apart from financial restrictions and establishments, through resolutions and occasional specific orders on points of detail.</p>	<p>Legislation on the subject of plant and animal diseases should in general be Imperial, but local legislation may for some purposes be required, for example, for the eradication of local pests, such as water hyacinths, and should be within the competence of the local legislature. Administration should be entirely Provincial.</p> <p>There are at present no specific restrictions on the powers of the Local Government to organize research for provincial purposes independently of any organization or institute that may be established by the Imperial Government and it is undesirable that any such restrictions should in future be imposed.</p>
VIII.—Forests and forest products.	<p>Legislation is contained in Act VII of 1878, an Imperial Act. Under sections 1, 26 and 31 of this Act the Government of India exercises certain powers of control. Administration is regulated as regards technical matters by the Forest Code and also by resolutions of the Government of India, but is otherwise Provincial.</p>	<p>Legislation should be Imperial, or if undertaken by the Provincial legislature, should be subject to the previous sanction of the Government of India. The powers of control of the Government of India under sections 1, 26 and 31 should be removed. The administration of forests should in future be entirely Provincial, and the detailed administrative control of the Government of India should be removed. The Local Government should have the same unfettered power in the matter of the establishment of research institutes as recommended in the case of agriculture.</p>
IX.—Fisheries and connected industries and river conservancy.	<p>There are at present no industries connected with fisheries in these provinces, nor is there any regular administration except in some small parts of the provinces where fishing is regulated by rules issued by the Local Government. River conservancy is undertaken by the Public Works department in some of the reaches of the Ganges and Gogra.</p>	<p>The entire administration of these subjects should remain Provincial. Legislation, if necessary, should be within the competence of the local legislature.</p>
<p>X.—Public Works— (i) Roads and Buildings.</p> <p>(ii) Irrigation (major and minor) including draining and embankments.</p>	<p>The power of the Local Government to give administrative and final sanction is limited to projects the cost of which does not exceed 16 lakhs. There are also a number of detailed restrictions embodied in the code in regard to the building or leasing of official residences.</p> <p>The law on the subject of irrigation works is contained in the Northern India Canal and Drainage Act, 1873. There are two classes of Major irrigation works—(1) Protective and (2) Productive. The former is financed by the Government of India, for the latter the Government of India</p>	<p>(a) The Local Government should have power to sanction administratively and finally all projects the expenditure on which has to be met from provincial revenues.</p> <p>(b) These restrictions should be removed in respect of residences to be occupied by Provincial officers.</p> <p>The present Act works satisfactorily, but any further legislation required for provincial purposes should be within the competence of the local legislature.</p>

Subject.	Existing position.	Recommendations.
	<p>provide the capital, expenditure for which the Local Government pay annually interest charges. Both classes of works are administratively and finally sanctioned by the Local Government.</p> <p>Minor works are administratively and finally sanctioned by the Local Government.</p>	<p>As provinces are to become entirely liable for expenditure on irrigation works the Local Government should have power to sanction technically and administratively all provincial projects. Differences might arise between provinces as regards the distribution of the water of a river. If such differences cannot be adjusted by mutual agreement they should be referred for arbitration to the Government of India.</p>
(c) Tramways	<p>The construction and working of tramways is regulated by the Indian Tramways Act of 1886. Under this Act the sanction of the Governor General in Council is required for the construction of a tramway any part of which traverses land which is not included within the limits of a municipality or cantonment.</p>	<p>Legislation should be Imperial. The construction of tramways traversing land not included within the limits of a municipality or cantonment may be necessary in connection with schemes of municipal extension. The sanction of the Government of India should not be required provided such tramways are not linked up with the general system of communications.</p>
(d) Light and feeder railways.	<p>Construction and working are entirely controlled, both as regards legislation and administration, by the Government of India.</p>	<p>Legislation must remain Imperial. In regard to administration the powers of the Local Government must be limited to those delegated to it by the Government of India.</p>
XI.—Education— (a) University.	<p>The constitution and functions of the Allahabad University are regulated by Act VIII of 1887 as amended by Act IV of 1906 and the Indian Universities Act of 1904. Its jurisdiction extends over the United Provinces, the Central Provinces and Ajmer-Merwara and the States included in the Rajputana and Central India Agencies.</p>	<p>Legislation must be Imperial, or if undertaken by the local legislature, should be subject to the previous sanction of the Government of India so long as the Central Provinces are included in the territorial limits of the University. With the establishment, however, of a separate University for the Central Provinces which has already been approved in principle, legislation should be within the competence of the Provincial legislature. Uniformity of standard as between different universities has not been secured by the existing all-India legislation, and uniformity of legislation throughout India is therefore not necessary. The local legislature should have power to establish new teaching universities or modify the constitution of the existing university.</p>
(b) Secondary education	<p>There is no legislation at present on this subject. Apart from financial restrictions the Government of India exercises control mainly through resolutions, e.g., that of Lord Curzon and of 1913. Subject to this control administration is Provincial.</p>	<p>Administrative control of the Government of India is unnecessary. Administration should be entirely Provincial.</p>

Subject.	Existing position.	Recommendations.
(c) Primary education	There is no legislation on this subject except that incidentally contained in the District Boards Act and the Municipalities Act, 1916. The introduction of compulsory elementary education in local areas is, however, under consideration. The administrative control of the Government of India is exercised through resolutions.	Legislation and administration should be entirely Provincial.
(d) Technical education	As under secondary	As under secondary.
(e) Reformatories	Reformatory schools are regulated by Act VIII of 1897. The previous sanction of the Governor General is required to the establishment and maintenance of schools. Subject to the conditions imposed by the Act administration is Provincial.	Legislation should be within the competence of the local legislature. The restrictions in section 5 are unnecessary. Administration should remain Provincial.
XII.—Medical, public health, hospitals, dispensaries, leper asylums, Pasteur Institutes, Sanatoria, matters relating to medical institutions.	(A) Legislation is contained in— (1) Epidemic Diseases Act III of 1897. Power under this may be delegated to the Provincial Government. (2) Vaccination Act XIII of 1880. This gives the Local Government full powers of administration. (3) Lepers Act III of 1898. Under this the Local Government has full powers except as regards cantonments. (B) Administration is Provincial. Control of the Government of India, except as regards establishments, is exercised through resolutions.	(A) Legislation should be within the competence of the local legislature. The Government of India under its concurrent and overriding power of legislation can legislate for matters affecting more than one province. (B) Administration should be entirely Provincial.
(c) Lunacy	The treatment of lunatics is regulated by the Lunacy Act of 1912. Under this Act the Local Government's power of making rules is subject to the control of the Government of India. Administration of asylums is Provincial.	Legislation should remain Imperial. Control by the Government of India of the rule-making power of the Local Government is unnecessary. Administration should remain Provincial.
(e) Pilgrimages	Pilgrimages are not at present regulated by any legislation. Administration is Provincial.	Legislation, e.g., for the purpose of enabling a Local Government to prohibit a pilgrimage should be within the competence of the local legislature. The regulation of railway arrangements in connection with pilgrimages must be reserved to the Imperial legislature and the Government of India.
XIII.—Local self-government, rural and urban: (1) Provisions for public health, safety and convenience, constitution of local authorities, municipal rates, taxes, loans, roads, bridges, ferries, tolls, markets, pounds, fairs, exhibitions, parks, open spaces, museums, libraries, art galleries, reading rooms,	Existing legislation is contained in (1) District Boards Act III of 1906. This is a provincial Act. It contains the following restrictions on the powers of the Local Government:— <i>Section 5(1).</i> —The issue of a notification exempting any district from the operation of section 4 which fixes the minimum number of elected and the maximum number of appointed members, other than the districts of Naini Tal, Almora, Garhwal and Jhansi requires the sanction of the Government of India. <i>Section 32(1) (a).</i> —The contributions to the pension, gratuity and leave	Legislation should be Provincial. The control of the Government of India under sections 5(1), 32(4), 46(2), and 55(1) is unnecessary and should be removed. The question whether the Government of India should make any general or special orders under sections 32(1) (a), 32(2) (b) (iii), 33 (1) and section 56(1) (t) (iii) will be determined by the decision as to whether the Civil Service Regulations are to be retained. Administration should remain Provincial.

Subject.	Existing position.	Recommendations.
<p>building regulations, town-planning, house improvements, disorderly houses, lodging houses, <i>sarais</i>, hackney carriages, registration of carts, nuisances, water supply, prevention of fires, regulations for sale of food and drink, smoke nuisance, disposal of dead, bathing and washing places, warehouses, drains, sewers, control of animals, surveys for municipal purposes, advertisements and anything dealt with in existing municipal or local self-government Acts.</p> <p>(2) Municipalities Act</p>	<p>allowances of a Government officer whose services are lent to a board are determined by the general or special orders of the Government of India.</p> <p><i>Section 32(2) (b) (iii).</i>—If empowered by the Local Government a district board may subscribe for pensions, gratuities and leave allowances in accordance with any general or special orders of the Government of India.</p> <p><i>Section 32(4).</i>—No pension, gratuity, leave allowances or annuity to a district board servant may exceed a sum which under any general or special orders of the Government such officer or servant would be entitled to if the service had been service under Government.</p> <p><i>Section 33(1).</i>—Contributions to the pension and leave allowances of a person whose services have been or are transferred from or to the service of Government or who is partly employed by Government and partly by the board is determined by the rules made by the Government of India.</p> <p><i>Section 46(2).</i>—The surplus funds of a district board may be invested only in such securities as the Governor General in Council approves.</p> <p><i>Section 56(1).</i>—The previous approval of the Government of India is required to an order of the Local Government superseding a district board.</p> <p><i>Section 55(1) (t) (iii).</i>—The power of the Local Government to make rules as to the conditions subject to which a board may subscribe on behalf of an employe, for pension, gratuity and leave allowances is subject to the condition that such rules must be in accordance with any general or special orders of the Government of India.</p> <p>Administration under this Act is Provincial.</p> <p>This is an Act of the Provincial legislature. It contains the following restrictions on the powers of the Local Government:—</p> <p><i>Section 3(2)(c).</i>—Previous sanction of the Government of India is required to a declaration by the Local Government otherwise than on the application or with the consent of the board of the municipality concerned, that a municipality having a population of less than 100,000 is a city.</p> <p><i>Section 8(2).</i>—Previous sanction of the Government of India is necessary to the extension of a municipal water supply to a cantonment.</p>	<p>Legislation should be reserved to the Provincial legislature. The restrictions contained in section 3(2) (c), section 80, section 128 (1) (iii) are unnecessary and should be removed. Revision of section 78 will depend on the decision as to the retention of the rules of the Civil Service Regulations. The restrictions imposed by special orders issued under section 128(1) should be definitely recorded in the Statute Book. A general power to issue such orders should not be retained by the Government of India. Administration under this Act should remain Provincial.</p>

Subject.	Existing position.	Recommendations.
<p>(3) Local Authorities Loans Act.</p>	<p><i>Section 78.</i>—Contribution to the pension and leave allowances of a person whose services are lent or transferred by Government to a municipal board or whose services are lent or transferred by the board to Government or who is employed partly by Government and partly by the board, are subject to the general rules or special orders of the Government of India.</p> <p><i>Section 80.</i>—Special sanction of the Government of India required to the grant to any officer or servant of the board or to his family, of a pension, annuity or gratuity greater than that to which he or it would have been entitled under general or special orders of the Government of India, if the service had been service under Government.</p> <p><i>Section 128(1)(i—xiii).</i>—Confirmation of the Government of India required to the sanction by the Local Government of the imposition of any tax not specified in section 128 (1) (i—xiii). The sanction of the Government of India is also required to the introduction of a terminal tax in municipalities in which octroi was not in force in 1917.</p> <p><i>Section 128(1).</i>—The Governor General in Council is empowered to issue general rules or special orders regarding the taxes which boards are authorized to impose. Such orders have been issued, e.g., regarding standard rates of octroi and also regarding the exemption of particular commodities from octroi. The Government of India have also recently issued orders that a tax on trades, callings and vocations, including all employment remunerated by salaries or fees, under section 128(1) (iii) of the Act should not be imposed without a previous reference to them. Administration under this Act is Provincial.</p> <p>This Act regulates the grant of loans to all local authorities. Under section 4 the Government of India has power to make rules but may delegate this power to the Local Government. Under section 6 certain local authorities, such as the larger corporations and other authorities to which the Government of India may extend this power, may, with the previous sanction of the Governor General in Council, borrow money from the public.</p>	<p>Legislation should be Imperial. The Government of India have, however, so far not delegated any of the powers under this Act, and the rules made by that Government themselves seriously restrict the powers of the Local Government. The Local Government is, for example, required to refer to the Government of India any proposal for a loan the term of which exceeds 30 years, or where the rate of interest payable is not less than 6 per cent. The powers of the Government of India should be</p>

Subject.	Existing position.	Recommendations.
(4) Hackney Carriages Act XIV of 1879.	This is an Imperial Act. Under section 5 the power of the Local Government to extend hackney carriage rules to a railway station six miles from a cantonment and to extend the operation of rules made for municipalities to any cantonment not more than six miles away is subject to the control of the Government of India.	delegated to the Local Government, i.e., the Local Government should have power to make its own rules under the Act as the Local Government is entirely responsible for its loans. Legislation should be reserved to the Provincial legislature. The restriction in section 5 should be removed. The provision in section 4 authorizing the Government of India to make rules for the regulation of hackney carriages in any place in India, but not in British India in which British troops are stationed would be more appropriately embodied in the Cantonment Code.
(5) Government Buildings Act IV of 1899.	This Act prevents bye-laws regulating the erection or re-erection of buildings, etc., from applying to buildings which are the property or in the possession of the Government but provides that reasonable notice of the proposal to commence such work shall be given to the municipal authorities which may make objections or suggestions regarding the proposed structures. On such objections the Local Government may pass such orders as it pleases, but under section 4(3) of the Act every such order passed by the Local Government is subject to revision by the Governor General in Council.	Legislation should remain Imperial, but the control of the Government of India under section 4(3) is unnecessary and should be removed.
(6) The Northern India Ferries Act XVII of 1878.	The powers of the Local Government to declare, establish, define, and discontinue public ferries are exercised by the Government of India in respect of ferries situated on rivers lying between two provinces.	The Local Governments should be entitled to settle these matters themselves, a reference to the Government of India being made only where the provinces are unable to come to an agreement.
XIV.—Franchise, Electoral Law, organization of constituencies.	...	These will presumably be governed by regulations made under an Act of Parliament. Subject, however, to the recommendations of the periodic commission, the regulation of these matters should eventually be transferred to the Provincial legislature.
XV.—Civil Justice— (a) Constitution of courts.	(1) The constitution and powers of courts other than High Courts and Small Cause Courts and the appointment of judges of these courts are regulated in Agra by Act XII of 1887 and in Oudh by Act XIII of 1879. Under sections 4 and 5 of Act XII of 1887 the sanction of the Government of India is required to alterations in the number of judges and munsifs and under sections 7, 15 and 36 the Local Government is subject to the control of the Government of India as regards qualifications of persons to be appointed munsifs, close holidays and the classes of officers to be	Legislation amending or adding to the existing Acts should be within the competence of the local legislature.

Subject.	Existing position.	Recommendations.
	<p>invested with powers of civil courts. Under section 7 of Act XIII of 1879 sanction of the Government of India is required to the appointment of additional judges.</p> <p>(2) Small Cause Courts.—The constitution and powers of Small Cause Courts, and the appointment of judges of such courts are regulated by Act IX of 1887. Under this Act the establishment of such courts require the previous sanction of the Government of India—also the appointment of additional judges.</p> <p>(3) Village courts.—The establishment and constitution of these courts is at present regulated by the United Provinces Village Courts Act of 1892.</p>	<p>Legislation amending or adding to this Act should be within the competence of the local legislature. The restrictions in the existing Act on the powers of the Local Government are unnecessary.</p> <p>Legislation should be within the competence of the local legislature.</p>
(b) Procedure ...	This is regulated by the Civil Procedure Code. The Valuation of Suits Act VII of 1887 is an ancillary Act.	Legislation should remain Imperial, except as regards the valuation of suits.
(c) Local Acts ...	The Oudh Laws Act lays down certain principles for the guidance of courts in Oudh, and further contains special provisions on the subject of dower and pre-emption.	Legislation amending or adding to this Act should be within the competence of the local legislature—also legislation on the subject of pre-emption.
(d) Ancillary legislation— (1) Legal Practitioners Act. (2) Indian Law Reports. (3) General Clauses Act. (e) Court-fees Act ...	These Acts are all-India Acts passed by the Imperial legislature. The interpretation of local Acts is governed by a local Act.	Legislation should be reserved to the Imperial legislature, except as regards interpretation of local Acts.
	Fees are fixed by schedules which are a part of the Act and the amendment of which requires action by the Imperial legislature. They may be reduced or remitted by the Government of India by notification but not enhanced.	On the assumption that fees are to be a provincial receipt, legislation modifying this Act in any way should be within the competence of the Provincial legislature.
(f) Administration ...	Appointments of all judges, other than High Court Judges, are made by the Local Government; in the case of munsifs in Agra on the nomination of the High Court—and all can be removed by the Local Government with the exception of the Judges of the High Court and the Judicial Commissioner and Additional Judicial Commissioners of Oudh. Administration is thus Provincial.	Administration should remain Provincial.
(g) Administrator-General and Official Trustees Act.	The Official Trustees Act provides for the management by the official trustee of properties of which he has been appointed trustee by a court or by the owners or trustees of property. The Administrator-General's Act provides for the administration of property of deceased persons in respect of which probate or letters of administration have not been granted to any other person. The Official Trustee and the Administrator-General for the province are appointed by the Local Government. Both posts	Legislation should be reserved to the Imperial legislature. Administration should continue as at present to be Provincial.

Subject.	Existing position.	Recommendations.
(A) Registration of deeds and documents.	<p>are at present held by one officer. The estates under his control are few and insignificant.</p> <p>This is regulated by Act XVI of 1908. The Act prescribes the class of documents to be registered, the persons to present for registration; regulates the enforcement of the appearance of applicants and witnesses, the effects of registration and non-registration, etc. In the matter of staff the Act requires the Local Government to appoint an Inspector-General, to form districts and sub-districts and to appoint a registrar for each district and a sub-registrar for each sub-district. Power is also given to appoint inspectors of registration. The remuneration of registering officers is subject to the Government of India's control as also the fixing of fees.</p>	<p>Legislation should be reserved to the Imperial legislature, but the restrictions imposed on the remuneration of registering officers should be removed; also that on the fixing of fees which are a provincial receipt. Administration should remain Provincial. The existing Act gives the Local Government a sufficiently wide discretion in the matter of establishments.</p>
XVI.—Excise	<p>This is regulated by (1) the United Provinces Excise Act IV. of 1910, (2) the Poppy Cultivation Act XIII of 1857, an Imperial Act, and (3) the Opium Act I of 1878, an Imperial Act. The few restrictions under Act IV of 1910 relate to matters relating to Imperial concern, except those under sections 3, 4 and 9 which permit the Governor General in Council to prescribe conditions regarding the chief revenue authority. Under section 7 of the Opium Act the establishment of warehouses requires the authorization of the Government of India. Under section 8 rules regarding warehoused opium require the previous sanction of the Government of India, and under section 13 rules regarding the disposal of things confiscated and rewards also require the sanction of the Government of India. Administration as regards the cultivation of poppy and the manufacture of opium is Imperial, the Local Government acting as the agent for the Imperial Government. Administration under the Excise Act is Provincial.</p>	<p>Legislation on the subject of the cultivation of poppy and the manufacture of opium should continue to be Imperial, but the powers retained by the Government of India under sections 7, 8 and 13 of the Opium Act are unnecessary and should be removed. Legislation amending or adding to the Excise Act should be reserved for the local legislature. Administration under this Act should be entirely Provincial. Any disputes between provinces should be amicably settled, a reference to the Government of India being necessary only where agreement cannot be reached. The Army department should, however, have the right to start and manage breweries and distilleries for the supply of liquor to the Army. Administration under the Opium Act and the Poppy Cultivation Act must continue to be controlled by the Government of India.</p>
XVII.—Scheduled districts.	<p>The Scheduled Districts Act XIV of 1874 extends at present to (1) the province of Kumaun and Garhwal, (2) Tarai parganas, (3) parts of Mirzapur, (4) Jaunsar Bawar. The Act enables the Local Government to declare what enactments are in force, and to extend existing enactments to these areas with the sanction of the Governor General in Council.</p>	<p>Any extension of the Act is no longer practicable. If the areas to which it now extends are brought within the scope of the Reforms Scheme legislation in respect of these areas will rest with the Provincial Legislative Council.</p>
Intra-provincial territorial arrangements.	<p>The sanction of the Government of India is at present required to any alterations of the existing territorial divisions.</p>	<p>Alterations should be within the competence of the Local Government.</p>

Subject.	Existing position.	Recommendations.
XVIII.—Land Acquisition Act I of 1894.	This is an Imperial Act which regulates the acquisition of land in all provinces. Under sections 38(1) and 41 the Government of India makes rules regulating the manner in which the Local Government may authorize any officer of a company to enter upon land, dig, mark, etc., and regulating the acquisition of land for companies and under section 55 the Local Government's rule-making power is subject to the sanction of the Government of India.	The Provincial legislature should be entitled to legislate for the provinces. Uniformity is not essential and the fact that the Act is Imperial has prevented the Local Government, for example, from delegating the power to acquire land, subject to such restrictions as it may think necessary, to subordinate authorities, such as Commissioners. The powers retained by the Government of India under sections 38, 41 and 55 are unnecessary and should be removed.
XIX and XXI.—Industrial matters and business concerns.	<p>Existing legislation is entirely Imperial and is embodied in a number of Acts, of which the following appear to be the principal:—</p> <p><i>The Indian Life Assurance Companies Act VI of 1912.</i>—The administration lies with the Government of India who, however, are empowered to delegate to the Local Government any portion of the administration other than the power to make rules.</p> <p><i>The Indian Companies Act VII of 1913.</i>—The administration lies partly with the Government of India and partly with the Local Government. Both make rules; the High Court also is empowered to make rules concerning the mode of proceedings to be taken for winding up a company.</p> <p><i>The Explosives Substances Act VI of 1908.</i>—The administration lies almost wholly with the Government of India. The Local Government has power only to order the trial of any person for an offence under the Act.</p> <p><i>The Provident Insurance Societies Act V of 1912.</i>—The administration lies partly with the Government of India and partly with the Local Government. The latter has power to make rules.</p> <p><i>The Indian Weights and Measures of Capacity Act XXXI of 1871.</i>—The administration lies partly with the Government of India and partly with the Local Government, but the Government of India alone make rules.</p> <p><i>The Measures of Length Act II of 1889.</i>—The administration lies partly with the Government of India and partly with the Local Government. The Act does not provide for power to make rules.</p> <p><i>The Indian Merchandise Marks Act IV of 1889.</i>—The administration lies with the Government of India who alone make rules.</p>	<p>Legislation should continue to be Imperial.</p> <p>No changes are proposed in the present system of administration of the laws in force. Matters connected with the development of arts and crafts and provincial industries should be dealt with by the Local Government, which should have freedom with regard to the pioneering of industries.</p> <p>The Local Government should have unfettered power with regard to the organization of research, independently of any organization that may be set up by the Imperial Government as recommended in the case of agriculture and forests.</p>

Subject.	Existing position.	Recommendations.
Electricity	<p><i>The Indian Petroleum Act VIII of 1899.</i>—The administration lies partly with the Government of India and partly with the Local Government; both may make rules but in the latter case the previous sanction of the Government of India has to be obtained.</p> <p><i>The Indian Explosives Act IV of 1884.</i>—The administration lies partly with the Government of India and partly with the Local Government; both may make rules but in the latter case the previous sanction of the Government of India has to be obtained.</p> <p><i>The Indian Patents and Designs Act II of 1911.</i>—The administration lies wholly with the Government of India who alone make rules.</p> <p><i>The Indian Factories Act XII of 1911.</i>—The administration lies partly with the Government of India and partly with the Local Government. The power of the latter to make rules is subject to the "control" of the Government of India, and does not require their previous approval.</p> <p>Legislation is contained in Act IX of 1910, an Imperial Act. Under this Act the Government of India prescribe technical rules. The power to sanction electrical schemes within the province is subject to the usual limit of 16 lakhs. The Local Government has power to grant such concessions as may be considered desirable.</p>	<p>Legislation should continue to be Imperial. The Local Government should have power to sanction administratively and finally all provincial schemes. The grant of developmental concessions within the province should rest entirely with the Local Government.</p>
Mines	<p>Legislation is contained in Act VIII of 1901, an Imperial Act. There are practically no mines in these provinces. The grant of prospecting and working licences is regulated by rules laid down by the Government of India.</p>	<p>Legislation regarding conditions of labour in mines and all technical matters connected with the working of mines should remain Imperial. The Local Government should have power (unrestricted) as regards the grants of prospecting and working licences.</p>
Geological survey for minerals.	<p>Entirely Imperial</p>	<p>Should remain Imperial, but the Local Government should be empowered to carry out any special surveys considered desirable in the interests of the provinces.</p>
Development of arts, crafts and local industries.	<p>This is regulated at present by orders of the Secretary of State and resolutions of the Government of India.</p>	<p>Administration should be entirely Provincial and should not be fettered as at present by restrictions in regard to the pioneering of industries and the encouragement of industrial enterprise.</p>
XX.—Co-operative Credit.	<p>Legislation is embodied in Act II of 1912. Administration is Provincial.</p>	<p>Legislation should in general be Imperial, but amendments in the Act should be permissible to the provinces.</p>

Subject.	Existing position.	Recommendations.
XXII.—Government Press (Stationery and Printing).	There is no legislation. The administration is Provincial subject to rules and restrictions (particularly with regard to the purchase of supplies) imposed by the Government of India.	The administrative control of the Government of India should be removed and the Local Government should have unfettered discretion with regard to the purchase of supplies.
XXIII.—Statistics—Registration of births, marriages and deaths.	(a) This is regulated, so far as persons to whom the Indian Succession Act of 1865 applies, by Act VI of 1886. The sanction of the Governor General in Council is required under section 11 for the extension of the Act to persons not ordinarily affected. Administration of the Act is entirely Provincial. (b) The registration of births, marriages and deaths within municipal areas is in the hands of municipal bodies.	(a) Legislation should remain Imperial. The restriction contained in section 11 should be removed. Administration should remain Provincial. (b) Legislation as regards births, marriages and deaths within local areas should be within the competence of the local legislature, as also legislation for the registration generally of births, marriages and deaths of persons other than those to whom Act VI of 1885 applies.
Collection of statistics for provincial purposes.	No legislation exists	Legislation for this purpose should be within the competence of the local legislature.
XXIV.—Inter-provincial emigration and immigration.	Legislation is at present Imperial and is contained in Act VI of 1901. Administration is Provincial but is subject to fairly detailed control by the Government of India.	No change proposed.
XXV.—Protection of wild birds and animals. Cruelty to animals	The protection of wild birds is regulated by Act VIII of 1912. This gives full powers to Local Governments. This is regulated by Act XI of 1890 which can be extended by the Local Government to any area.	Any further legislation necessary should be within the competence of the local legislature. Any further legislation necessary should be within the competence of the local legislature.
XXVII.—Escheats and unclaimed property.	These are governed by Regulation V of 1799 and Regulation V of 1827 in Agra. Regulation V of 1799 is not in force in Oudh and personal property is dealt with under rules made by the Local Government regarding unclaimed property. Administration is Provincial.	Legislation should be reserved to the Imperial legislature. Administration should remain Provincial.
XXVIII.—Religious and charitable endowments or trusts.	The Charitable Endowment Act VI of 1890 provides only for the management of endowments the administrators of which wish to place them on a safe footing. Moreover, it excludes endowments which relate exclusively to religious teaching or worship. Under section 92, Civil Procedure Code, the Legal Remembrancer or persons interested therein may move the courts to replace incompetent or dishonest managers of any trust. Section 15 of the Religious Endowments	(a) Legislation amending the Charitable Endowments Act VI of 1890 should be reserved to the Imperial legislature. (b) It is generally agreed that the provisions of section 92 of the Civil Procedure Code and section 15 of the Religious Endowments Act are inadequate. So far as purely charitable trusts are concerned, legislation should clearly be within the competence of the local legislature. Legislation as regards

Subject.	Existing position.	Recommendations.
	Act also gives certain similar, but more restricted, facilities for the same purpose.	religious or quasi-religious trusts may have reactions extending beyond provincial boundaries. The balance of argument, however, is in favour of Provincial legislation, and legislation on this subject should therefore be within the competence of the local legislatures. Administration should remain Provincial.
XXIX.—Motor vehicles	The existing law on the subject is contained in the Act VIII of 1914, an Imperial Act. The rules made under this Act are made by the Local Government and administration is Provincial.	Any further legislation required for provincial purposes should be within the competence of the local legislature. Administration should remain Provincial.
XXX.—Memorials and appeals— (a) From members of the public.	These are at present regulated by orders reproduced in the Manual of Government Orders, paragraphs 492—502.	As regards reserved subjects the existing rules with the modifications suggested by the Decentralisation Commission, viz., that no appeal should lie to the Government of India against an order passed on an appeal from a subordinate authority, are suitable. As regards transferred subjects no appeal should lie. The remedy of aggrieved persons is by raising the matter in the Legislative Council.
(b) From members of the services.	As above	As regards reserved subjects no appeal should lie from members of the Provincial and subordinate services. Otherwise the existing rules are suitable. As regards transferred subjects, no appeal should lie.

Scheme showing proposed list of transferred subjects.

1. Taxation for provincial purposes.
2. Local self-government, rural and urban; viz., provisions for public health, safety and convenience, constitution of local authorities—municipal rates, taxes, loans, roads, bridges, ferries, tools, markets, pounds, fairs, exhibitions, parks, open spaces, museums, libraries, art galleries, reading rooms, building regulations, town-planning, housing improvements, disorderly houses, lodging houses, *sarais*, hackney carriages, registration of carts, nuisances, water-supply, prevention of fires, regulations for sale of food and drink, smoke nuisance, disposal of the dead, bathing and washing places, warehouses, drains and sewers, control of animals, surveys for municipal purposes, advertisements and anything dealt with in existing municipal or local self-government Acts.
3. Registration of births, deaths and marriages, coroners, statistics for provincial purposes.
4. Education: primary, secondary, technical and university.
5. Medical and sanitary: public health, hospitals, dispensaries, leper asylums, pasteur institutes, sanatoria and matters relating to medical institutions; infra-provincial pilgrimages.
6. Agriculture; and veterinary, diseases of animals, etc.
7. Co-operative credit.
8. Fisheries and connected industries and river conservancy.
9. Public works: roads and buildings, tramways and light and feeder railways.
10. Excise: intoxicating liquors and drugs, including the control of breweries and distilleries.
11. Charitable endowments.
12. Development of arts, crafts and industries.
13. Government Press (stationery and printing).
14. Appointment, conditions of service and control of Provincial services employed on transferred services. Subject to the right of the Governor to protect in such way as he may consider desirable the interests of the existing members of the services.
15. Miscellaneous subjects, viz. preservation of wild birds and animals, prevention of gambling, motor vehicles, registration of deeds and documents.
16. Franchise, Electoral Law and constituencies. Not till after the Periodic Commission has reported.

At Lucknow on Saturday, November 30th
1919.

P r e s e n t:-

The Right Hon'ble Lord Southborough, I.C.S., G.C.M.G.,
G. C. V. C., Chairman.

Sir Frank G. Sly, K. C. S. I.,

Sahibzada Aftab Ahmed Khan,

Mr. W. H. Hailey, C. S. I., C.I.E.,

The Hon'ble Babu Surendranath Banerjee,

The Hon'ble Mr. Malcolm H. Hoar,

The Hon'ble Mr. Srinivasa Sastry,

Mr. H. A. H. Hopkins, I.C.S., } *co-opted members*
Mr. G. Y. Chintamani. }

Mr. P. C. Talents, Secretary.

The Committee met the Lieutenant Governor of the
United Provinces, who was accompanied by the Hon'ble
Mr. O'Donnell, Chief Secretary, to consider the
following questions:-

.....

1. A proposal to include in the franchise:-
 - (1) a separate educational qualification (if it is accepted the question arises what standard should be adopted);
 - (2) military and civil pensioners;
 - (3) certain classes of public servants, e.g., school teachers.
2. A proposal to vary the rural franchise from tract to tract in order to equalize somewhat the number of voters, e.g. to lower it somewhat in Bunnelkhand or to raise it in some districts with a very large electorate.
3. A proposal to increase the number of urban constituencies by making a few more large towns, say those with a population of 50,000 or more into separate constituencies. Or as an alternative to form groups of smaller towns instead of merging them into rural constituencies.
4. As regards rural constituencies, proposals:-
 - (1) to divide Bulandshahr into two constituencies,
 - (2) to divide Kumaon into two or three constituencies.
5. The proposed representation of the Oudh Talukdars.
6. The claim of the large landholders of Ayra for separate representation.
7. The question of representation for Benares University and Kumbh; subsequently the contemplated universities of Aligarh and Lucknow. Until Aligarh is converted into a university, should Aligarh College get separate representation through its trustees?

8. The inclusion of registered graduates among the voters for the university seats.
9. How it is proposed to provide for the representation of members of the joint Hindu family other than the manager and as to joint Revenue or Tenant Holdings.
10. The equal representation of the two Chambers of Commerce.
11. The number of nominated members, official and non-official, necessary to constitute the Grand Committee.
12. Some increase in the size of the Council contemplated.
13. Method of election to the Indian Legislative Assembly. Strength and composition of the provincial representation on that assembly.

Question No. 1. Mr. Banerjee desired matriculate non-students to be qualified for voting as such and also professional teachers.

Mr. Aftab thought it important to encourage primary education in order to make the scheme a success and with this object he would like to raise the status of teachers.

Mr. Hogg questioned whether all desirable matriculates would not in fact come in under the other qualifications.

Mr. Aftab thought that pensioners who ^{were} ~~were~~ now qualified should remain qualified, and would fix a pension of Rs. 15 as the qualification.

His Honour thought that most of the proposed voters would come in under the property franchise. He hesitated to upset the balance of the scheme, but if the Committee had strong views on the subject, he would agree to a vote being given to non-student matriculates. It was unnecessary to give the vote to pensioners as all of importance would come in under the property qualification and it would be unfair invidious and would cause difficulty to pick out school teachers from other classes. He therefore advised qualifying non student matriculates and no others.

Question No. 2. Sir F. Sly pointed out that as the scheme was based on population, the number of voters was irregular and in some cases there were very large constituencies. These great differences might result from local conditions. In some parts rents were highly competitive, in other parts they were much lower, and absence of uniformity of status would thus result. ^{If there} were real differences which it might be well to recognize ~~them~~.

His Honour was very anxious to maintain the unity of the districts. No doubt there were differences; for example at Meerut and Aligarh there were sturdy peasants, with good land, paying high rent. He advised adhering to the districts. It was not desirable to make variations in a scheme which worked out to a reasonable figure in three quarters of the districts. Individual cases could be met by later adjustments if necessary. As a matter of fact the smaller electorate of Bundelkhand was on much the same footing as the larger electorate of Meerut, and readjustment of qualifications would not necessarily lead to an equalising of political opportunities.

Question No. 3 A. 4. Mr. Sastri was anxious to give further weight to urban constituencies, although the large towns were already weighted by 100 per cent. He felt alarmed at the suggestion that the rural areas might send members who could only follow the proceedings in the vernacular. He would prefer to enfranchise towns of 50,000 population rather than to form groups of urban areas.

His Honour pointed out the marked difference between the big industrial cities in the province which had civic life on a western scale and the agricultural towns without industrial or any substantial civic life forming part of agricultural districts. He would, however, agree to increase the Council by 12 of whom 10 would be elected and 2 nominated officials. He would give one member each to the urban constituencies of Aligarh, Koradabad and Shahjahanpur and one member jointly to the Muhammadan voters of those three towns. He would give an extra member on the general rural electorates to.....

5.6

to Bulandshahr, Kumaon, Muttra and Aligarh and 2 extra members to the Muhammadan voters of those districts.

Question No. 5. His Honour pointed out that the taluqdars were the most distinctive body of landholders in India. Since 1735, they had been a united body centring round Lucknow and very homogeneous. Oudh ~~is~~ essentially Hindu and contained the centre of Hindu religious feeling. During the Mutiny the taluqdars remained loyal and the soil was confiscated to give them a formal title under sanads and under the taluqdari Acts. Many had succession by primogeniture. The old palace has been given to them as communal quarters. They had built a fine hall and met frequently. They were welded together by controversies over tenant rights. The Government collected a case by agreement half of which maintained the Association and the other half maintained educational institutions. They were very liberal in subscriptions and they had the tenants of Oudh behind them. In the present Council they had three members, of whom 2 were elected through the general electorate. They owned individually a very large number of villages and formed a very powerful aristocracy. Considering the important part that they played in the public life of the province, they should have 5 seats, allotted to them. There were 271 taluqdars and the question of giving them votes in the general constituencies was unimportant. It would be well to enable them to stand as candidates in general constituencies, as this would be preferable to their putting up nominees.

6.

His Honour said that

Question No. 6. On the other hand the Agra landowners ^{were} separated by great distances. Their Association dated only from 1914 and had never been effective. There was no cohesion among them, and they did not form a separate class. They would obtain full representation in the general electorate and no separate representation should be given to them.

Question No. 7. His Honour said that the Benares University was an all-India university and ^{had} ~~did not ask~~ for would it, he believed, wish to be represented on a purely provincial body. The present Vice-Chancellor was a prominent citizen of Madras. The University of Aligarh, when it came into existence, would be in the same position. The University of Lucknow was at present entirely in the air.

Question No. 8. His Honour had no strong views on this point. The present university franchise worked well and he would prefer to leave it alone. But if the suggested change was made in other universities, it should be made in the United Provinces also.

Question No. 9. His Honour pointed out that ^{it was impossible to} you cannot depart from the principle that the manager acts for the family. He would hesitate to interfere with the joint family for the purpose of voting. It would be a serious upset if a separate voice were given to individual members.

Question No. 10. His Honour pointed out that the Upper India Chamber was European and centred at Calcutta while the United Provinces Chamber of Commerce was much less important and controlled a comparatively small amount of capital. The wealth of Uzenpore was in the hands of the Europeans, who

put 140 lakhs into the war loan as against 12 from the Indians. The United Provinces Chamber was new and numbered lawyers among its members. The future development of the province in commercial matters would, he hoped, be largely Indian, but at the present stage the two Chambers could not really be compared, and His Honour would not give the newer Chamber the same representation as the older.

Question No. 11. His Honour stated that the Government would undoubtedly nominate elected members of Council to the Grand Committee.

Question No. 12. This had already been dealt with.

Question No. 13. His Honour handed in a memorandum expressing his views upon this subject.

Mr. Aftab said that several witnesses had asked for some further representation of urban Muhammadans. His Honour thought that to accede to this would upset the balance of the Council and he was not prepared to do so.

The meeting then adjourned.

At Delhi.

Monday, December the 2nd 1918, in the
Committee Room of the Secretariat.

P r e s e n t :-

The Right Hon'ble Lord Southborough, G.C.B., G.C.M.G.,
G.C.V.O., Chairman,

Sir Frank G. Sly, K.C.S.I.,

Mr. W.M. Hiley, C.B.I., C.I.E.,

The Hon'ble Babu Surendranath Banerji,

The Hon'ble Mr. Malcolm N. Hoar,

The Hon'ble Mr. Srinivasa Sastri.

It was decided to issue a Press Communiqué in the
following terms:-

"The two Reforms Committees appointed to consider ques-
tions connected with the franchise and the division of sub-
jects under the Montagu-Chelmsford Reforms scheme, returned
to Delhi on December 1st after visiting Patna and Lucknow
where they considered proposals relating to Bihar and
Orissa and the United Provinces in accordance with their
terms of reference.

"At Patna five sittings were held for the oral exami-
nation of witnesses. These included the official witnesses
who explained the Local Government's proposals, representa-
tives of the Bihar Provincial Association, the Pro-
vincial Moslem League, the Bihar Landholders' Association,
the Bihar Planters' Association, the Bengali Settlers'
Association, and the Indian Mining Association and
Federation and others.

"At Lucknow sittings were held from November 25th to
November 29th for the examination of witnesses, including
the Local Government's representatives, the representatives
of the British Indian Association, the Agra zamindars'
Association, the United Provinces Provincial Congress,

the United Provinces Moslem League, the Moslem Defence Association, the Upper India Chamber of Commerce and the United Provinces Chamber of Commerce, the Anglo-Indian Federation and a number of others.

"The Committees will sit at Lahore in the first week of December to consider the Punjab Government's proposals and to obtain local opinion. Thereafter they will visit Nagpur on their way to Calcutta where they will arrive a few days before the Christmas holidays and examine the schemes proposed for Assam. After Christmas the Committees will sit at Calcutta to consider the case of Bengal and will subsequently visit Madras and Bombay before returning to Delhi shortly after the beginning of February."

Lord Southborough said that it was desirable to obtain a general idea of the views of the Committee in order to get a basis for the first draft of their report. It was also desirable to see on what question the members were fairly agreed, so that time might be saved in the examination of witnesses. It might be possible to prepare a provisional statement of results in tabular form. The questions which he desired to bring before the Committee were as follows:-

(1) whether a vote should be given to women.

The ~~general~~ ^{policy} policy of the Committee was that, as matters stood, they were not disposed to recommend a scheme of woman suffrage.

(2) with regard to university representation, there was a question of principle at issue, namely whether the intention was to give representation to a purely educational institution or to a cultured class.

The Committee decided that the leading representatives of the universities should be consulted on the subject.

(3) A discussion of the qualifications of candidates was

begun and was postponed till the following day without
any conclusion being reached.

At Delhi.

Tuesday December the 3rd 1913 in the
Committee Room of the Secretariat.

Present:

The Right Hon'ble Lord Southborough, G.C.B.,
G.C.M.G., G.C.V.O., Chairman,

Sir Frank G. Sly, K.C.B.I.,

Mr. W.M. Bailey, C.S.I., C.I.E.,

The Hon'ble Babu Surendranath Banerji,

The Hon'ble Mr. Malcolm N. Hoar,

The Hon'ble Mr. Prativasa Sastri.

Question (3). The Committee continued the discussion of the qualifications of candidates which had been left over from the previous day.

Lord Southborough said that in the United Kingdom the only necessary condition was that a candidate should be a British subject.

Sir Frank Sly pointed out that in India residence was almost universally required in the case of voters and that there was a strong local feeling about this.

Mr. Bailey said that in the regulations of the different Legislative Councils it was universally required that the candidate should have "place of residence" in the constituency. The Committee decided that a memorandum should be prepared showing the different qualifications required in the case of voters and candidates at municipal elections, elections to local boards and district boards, and elections to the Legislative Council in each province and also that similar information should be obtained with regard to recently formed constitutions, such as South Africa, Canada, Australia, Tasmania and also the United States.

Question (4). The position of the subjects of Native states.....

States was then discussed. On this subject the Committee were at the moment disposed to adopt the view that subjects of Native States might vote but not stand at elections, it being a qualification for all candidates that they must be British subjects.

Mr. Sastri did not accept this view. He did not see why a voter should not also be a candidate.

Sir F. Sly accepted the view, provided the subject of a Native State was a resident in British India and not otherwise.

Question (5). The next question discussed was whether persons qualified to vote in the landholders' electorates should be prohibited from standing as candidates in the general electorates.

Mr. Milley said that he preferred the zamindar to the zamindar's agent and would like landholders to play a direct part in the political life of the province. Moreover, the arrangement offered a loophole towards eventually getting rid of the special electorates, if it could be shown that the landholders preferred to take part in the general electorates or if it could be shown when the constitution came under revision that they got all the seats they required through the general electorates. It was quite likely that trouble would occur between the landlords and tenants in Oudh and for this reason it was desirable to keep them in the same electorates in the United Provinces so as to encourage co-operation.

Lord Southborough explained that the arrangement was only a transitional one.

After some further discussion the subject was dropped without any definite conclusion being reached.

Question (5). The question of plural voting was then discussed.

Lord.....

Lord Southborough said that the first alternative was to prohibit it, but he pointed out the difficulties of purging the register. Another alternative would be to permit it on the ground that it was impossible to prevent it. A third alternative would be to make it an offence under the electoral law to vote more than once.

Mr P. Sly said that they all agreed that no voter should have more than one vote in the same general constituency; the electoral authorities should see that the rolls were so prepared as to include each man's name once only. But he thought it was impossible to prevent a man voting in more than one general constituency. He suggested that ^{the} matter was one of trivial practical importance which might be left alone.

The meeting concurred in these views and also in the view that a voter should have a vote in a general constituency and also a vote or votes in the various special constituencies in which he was entitled to vote including the landholders' constituency.

Question (7). As regards the Hindu joint family, Mr. P. Sly said that they had two alternatives, namely (a) of giving the vote to the manager and (b) of dividing the qualification into equal shares and giving as many votes as were thereby justified. He thought the second alternative quite impracticable.

The general view was that a single vote should be given to the manager.

Question (8). The question of a purely educational qualification was then discussed, and the conclusion arrived at was that the opinion of the Local Governments should be taken as to whether persons of a substantial

standard of education who could not qualify through income or property should have a vote, and that the number of non-student matriculated, intermediates and B.As who would be in this position in the different provinces should be ascertained.

Sir P. Sly wished to add that if a departure from the general principle were made, he wished to raise also the question of other fancy qualifications such as being an Honorary Magistrate or a pensioner.

Memorandum by Babu Vikramjit Singh, nominated by the United Provinces Chamber of Commerce.

UNITED PROVINCES LEGISLATIVE COUNCIL

I. FRANCHISE.

(a) *General Territorial Electorates.*—Being in full accord with the view expressed in the Reforms Report that the elections should be direct and on as broad a franchise as possible, I propose that the vote be given to :—

- (1) All landholders paying an annual revenue of Rs. 25 or over.
- (2) All tenants paying a rent of Rs. 50 or more a year.
- (3) All income-tax payers.
- (4) All persons who have a vote in municipalities and in rural areas for district boards.

NOTE 1.—In the case of municipalities the qualifications for a voter at present differ widely in different municipalities. I suggest that in every municipality the franchise should be widened so as to double the number of voters as nearly as possible. I understand that at present only about 6 per cent. of the urban population enjoys the vote in municipalities. My proposal that the present qualifications should be modified so as to double that percentage is therefore not unreasonable.

NOTE 2.—At present there are no definite qualifications for voters for district boards in rural areas and the proportion of those enjoying votes at present to the population of those areas is infinitesimal. I would suggest that the District Board's Act should be amended and the qualifications of the voters should be prescribed by the Statute. Perhaps the same qualifications as are suggested above in the case of the Provincial Legislative Council will do. Non-agriculturists in the rural areas with the income of, say, Rs. 200 a year may also be brought in.

(b) *Special Electorates.*—In principle I am against special representations, class or communal, and would have very much wished no such representations were in existence. As the authors of the Report rightly observe these special representations hinder the development of common citizen spirit, tend to perpetuate differences, and have to some extent the effect of taking away from the weak and backward minorities, enjoying special representations, the incentive to improve themselves. But taking note of facts and in order that the Reforms might start in an atmosphere of harmony I am for the Muhammadan and landholders' representations being maintained.

In connection with Muhammadan representations it may be stated that the franchise should be the same as in the case of general territorial electorates, the existing disparity in this respect is widely resented by non-Muslims. The amount of representation should be what the Congress and the Muslim League have agreed to. Further, the Muhammadans would not be allowed to be either voters or candidates in the general electorates.

As regards landholders, I would maintain the present position that every one who pays a revenue of Rs. 5,000 or more should be included in the voters' list, but such persons should be excluded from the electoral roll as well as the candidates' list of the general territorial electorates. Further, I would suggest that in the case of Oudh the right to vote should be given not to the British Indian Association as at present but to the entire body of zamindars of Oudh who pay a revenue of Rs. 5,000 or over or possibly, with a view not to disfranchise any body which at present enjoys the franchise, one seat may be reserved for the British Indian Association and another may be given to the other zamindars in Oudh.

(c) *Institutional Representation.*—Apart from general electorates and the British Indian Association the University of Allahabad and the Upper India Chamber of Commerce have each a member in the present Council. In the case of the University the vote may be extended to the registered graduates also in addition to the existing ordinary fellows of the University. Graduates of Universities in the United Kingdom have the privileges of voting in the election of the University representation in the House of Commons.

The United Provinces Chamber of Commerce which represents the Indian mercantile community of the Provinces should also be allowed to return one member as is done by the Upper India Chamber of Commerce. The Hindu University may be allowed one seat and the donors of Rs. 500 and more of these Provinces may be its electors.

2. CONSTITUENCIES :

Being not in possession of requisite figures it is difficult for me to judge with any degree of accuracy the average strength of the electorates that would be created if my above suggestions as to franchise were given effect to. But whatever that may be I am for single constituency, every district in the Provinces returning one member. In case of districts where the electorate—on the uniform franchise basis suggested above—exceeds by a considerable proportion the average electorate strength per district, an additional seat and in a few cases even a third seat may be allowed. This excess over the average electorate strength must of course be considerable to entitle the district to the additional seat or seats and must be fixed by Statute. To illustrate this by an example let it be assumed that the average strength of the electorate per district is 20,000. Now, a district with an electorate of, say, double that figure—that being assumed as the proportion fixed—or more gets a second seat and one with an electorate of, say, treble the number, i.e., 60,000 or more gets the third seat.

(b) The cities with a population of 50,000 or above should be allowed one seat each.

(c) The Muhammadan representation is according to the existing arrangement already direct. As has been said above the Congress-League agreement of giving the Muhammadans 30 per cent. of the total elected strength of the Council in these Provinces should be given effect to.

(d) In the case of landholders, the Chambers of Commerce and the University the representation is already direct. I have already made my suggestion about the landholders' electorate and proposed the widening of the University constituency by extending the vote to the registered graduates of the University.

3. THE STRENGTH OF THE COUNCIL.

I have suggested that in addition to one seat for every district to represent the people at large a second seat—and in a few cases even a third seat—may be given to the Provinces whose electorates exceed the average electorate strength per district by a fixed proportion. Labouring under the disability of being not in possession of requisite figures which would help me in judging with some accuracy the effect of my proposal, I have not attempted to fix these proportions. I have only to say that it should be fixed sufficiently high to ensure that the number of additional seats so allowed under the arrangement should not in any case exceed, say, half the number of the original 48 seats for the 48 districts of the Province. When we add to these the number of seats allowed to the cities, the landholders, the two Chambers of Commerce, the University and the European representations and then the special Muhammadan representation which would be 30 per cent. of the total elected element, we arrive at a figure in the vicinity of 150 allowing the landholders and the Europeans 5 and 4 seats, respectively.

(I have said nothing particularly as to whether the European element should be nominated, or ensured by reserving the fixed number of seats on the general electorate, or elected by a special electorate of their own, except that I am opposed to special representations but would allow it for the present to Muhammadans and landholders only in this Province.)

The representation of the various interests and classes being secured under the arrangement suggested above, the need for seats for non-officials to be nominated by the Local Government would disappear.

As for the official element in the Council it is hoped that the recommendation of the Report that it would be reduced to the minimum necessary for the transaction of the business would be given effect to. Taking all the above factors into consideration I think the total strength of the Council may be fixed at, say, 175. This is of course a rough estimate for the reasons I have already mentioned.

4. *Qualifications of Candidates.*—I see no reason whatsoever why any person who is not subject to the statutory disqualifications—I need not enumerate these here—and is on the electoral roll for the Council should be required to possess any special qualifications to be eligible for candidature for a seat in the Council. All that could reasonably be insisted on is perhaps that he should have been a resident of the Province, not of the particular district from which he is to stand, for, say, twelve months.

IMPERIAL LEGISLATIVE COUNCIL
OR
LEGISLATIVE ASSEMBLY.

. FRANCHISE.

I am in favour of direct election. I am fully alive to the difficulties and inconveniences attendant on direct election in this case but I believe they can be overcome.

The existing system of Government nominations and elections by the non-official members of the Provincial Councils is not suitable and must go.

* The franchise must be on the same principle as in the Provincial Legislative Council though of course it will have to be raised. The following scale may be found suitable :—

- (1) All landholders paying a revenue of Rs. 50 and above.
- (2) All tenants paying a rent of Rs. 100 and above.
- (3) All persons paying income-tax on an annual assessment of Rs. 2,000 and over.

UNITED PROVINCES REPRESENTATION ON THE LEGISLATIVE
ASSEMBLY.

The report provides for 10 representatives from these Provinces in the Assembly. I would recommend that this number be raised to 13 and distributed as follows :—

General territorial electorate	...	...	...	7 Seats.
Muhammadans	...	...	...	3 "
Landholders	...	...	...	2 "
Europeans	...	...	...	1 Seat.

It may be said that the strength of the Assembly being fixed by the Council the provincial allotments cannot be disturbed. The report does not fix the number absolutely at 100. It only proposes a "total strength of about 100". At any rate if 13 seats cannot be allotted to United Provinces by a readjustment within 100 there seems to be no reason why that number must not be exceeded.

In case of the general electorates the 7 seats be distributed among the 10 divisions, some of the less advanced divisions being grouped together, the test of advancement being of course the size of the electorates forthcoming.

With regard to special Muhammadan representation the same plan of grouping divisions may be followed or the seats may be allotted to the divisions by rotation. The conditions as to the equality of qualifications of voters, and the non-participation in the general territorial electorates laid down in the case of the Provincial Council shall apply also in this case. As for landholders the

same electorate, i.e., persons paying a revenue of Rs. 5,000 or above could perhaps be suitable else the amount may be raised. These special electors shall not participate in the general electorates.

Now remains the European seat. This should go by nomination. If however the community is given special representation to the Council (Provincial)—a proposition to which I am opposed—or seats for them are reserved in the general electorate, the same system must be followed in their representation in the Imperial Assembly.

QUALIFICATIONS OF CANDIDATES.

As in the case of the Provincial Council no qualifications except freedom from Statutory disqualifications and residence in the United Provinces for 12 months should be demanded.

* COUNCIL OF STATE.

The electorate for the Council of State has already been settled by the authors of the Report. The question that remains to be settled is the candidates' qualifications. I think any person on the Provincial Council should be deemed sufficiently qualified and eligible for election to the Council of State.

NOTE RELATING TO FRANCHISE.

The announcement of August 20th by His Majesty's Secretary of State promising responsible government to India necessitated the reconstruction of its present administrative machinery.

The proposals for the reform in the existing administration have been embodied in the scheme prepared jointly by the Right Honourable Mr. Montagu and H. E. Lord Chelmsford. This scheme provides for responsible government to India by means of gradual steps periodically tested until the entire responsibility of government can be placed under the popular control.

At present there are three spheres of administration, (1) Municipal and District Boards, (2) the Provincial Government and (3) the Government of India, with different levels. It is for the election of the representatives on these bodies that we have to make proposals regarding the franchise and constituencies. The dictum in the reform scheme which one should follow is that in the composition of the representative administrative machineries there must be a substantial elected majority elected by means of direct election out of as broad a franchise as possible. Bearing in mind the aforesaid principles I beg to submit that the following should have the right of vote in the popular election to these representative bodies.

- (1) All tenants paying rents annually of Rs. 50 and upwards.
- (2) All land-owners paying revenue of Rs. 25 or upwards. Under proprietors and tenants at fixed rates to be treated as land-owners in this respect.
- (3) Others who have an annual income of Rs. 150 and upwards.
- (4) Educated persons who may have passed the matriculation or school leaving examination or some other examination of equal standard.
- (5) Females who may wish to vote having any of the aforesaid qualifications

In my opinion any franchise on these lines would be broad enough. Since there are three distinct levels of administration to which representatives will have to be chosen by popular elections there will be separate electorates for the election of representatives to each of these administrations. I beg to append in tabular form statements showing the franchise and electorates for the two upper administrations. The District Boards and Municipalities may fix their own number of representatives to be elected by a franchise composed of voters whose qualifications I have mentioned in the statement of the qualifications of voters for such bodies.

In towns which are not under municipal management the population is pretty much of the same type of people as that in the villages. Anyhow I would suggest that residents of notified areas should have for the wealth basis the house tax they pay on the assumed rental of their houses which for the purpose of qualifying for a vote may be fixed at Rs. 3 per mensem.

The above tests for the qualifications for a vote should also apply to the franchise of Mohammedan voters as it is broad enough and will be found to secure quite a large franchise for the constituencies that may be formed for the separate election of Mohammedans.

I do not object to plural voting provided a voter can manage to vote in different constituencies.

So far as general election goes, I would insist on uniformity in the formation of electoral units. It may be either on the basis of territorial limits such as a district or on the basis of population. In my opinion the territorial basis would be more suitable except in the case of special electorates such as that of the Mohammedan community when more than one district may have to be included in the constituencies formed on a communal basis.

I have said nothing about tax payers and literate persons who have not passed any of the prescribed examinations. This is due to the fact that the tax-payers will *ipso facto* be voters on the ground of the income limit qualifying them for a vote. As far as literacy goes, in my opinion the income test should not be relaxed in any case when it has been fixed at such a low figure. I cannot conceive of the existence of any literate people with income below the proposed limit and hence no special provision seems to be necessary for the qualification on the ground of literacy alone.

It would appear from the appendices that a genuine effort is made in this Note to broaden the franchise to the maximum possible at the present stage of education and wealth of the country. My particular effort has been in the direction of giving a vote to the silent masses mostly included in the tenant class.

I may be criticised for giving more votes to tenants than they deserve in order to gain for my own class a better chance of election to the various bodies of administration as having more influence with the tenants than any other class of people. To this I would say that in rural areas there are hardly members of any profession who are not connected with the landed interest either in the shape of landowners or tenants. Besides I take the opportunity of vindicating an old standing charge levelled against the landowners that they were responsible for keeping the rural masses in the background, which is certainly far from being a fact.

I feel very sorry to have to eliminate tenants paying Rs. 50 and upwards from the franchise for the election of representatives for the provincial legislature. My reason for so doing is that in my opinion there should be different levels in the franchise proportionately to the levels in the administration. I also believe in the gradual development in the enlargement of the franchise in proportion to the measure of responsibility that is proposed to be given to the people in the management of the affairs of the country. The suggestions made will not be found to exclude altogether from the provincial franchise tenants paying Rs. 50 and upwards to Rs. 99 as it is a fact that most of the voters in rural tracts who would be qualified to vote for the elections to provincial legislative bodies will come under that category. I think it would be only feasible to let these tenants have their first training in the election for local bodies, the management of which affects them primarily, before they are drafted to a higher sphere of activities. Similar retrenchment has been suggested in the case of others who have been included in the franchise on the basis of income either from land or otherwise.

Lastly I may be excused for saying a word in support of the right of representation to be given to the Talukdars of Oudh as a body

That they are a separate body is acknowledged on all hands.

That they are an influential, large and important body who may claim the credit of what the province of Oudh is to-day no one can contest. The educational institutions, the hospitals and much of what is needed for the improvement of the people intellectually and physically has been and is being provided in Oudh by the Talukdars. They are the natural leaders of the people and their association is better financed and is older in origin than any of the political associations in India. Their relations with the Government and with the people have always been of the best.

The Mohammedans have decided to be elected by the members of their own community separately, which principle has been accepted by the authors of the scheme, and in pursuance thereof I beg to submit a scheme for their franchise on lines similar to that for non-Muslims. Of course the formation of constituencies for them on communal lines, is an intricate affair and I would recommend the adoption of any scheme that may be put forward for the purpose through their own representatives.

I have provided for the representation of other important interests such as those of the commercial community, the Europeans and the Anglo-Indians. These important minority communities may be asked to elect their own representatives to the various administrative bodies.

As regards franchise for the local administration I cannot do better than accept the recommendations of the special committee which sat under the presidentship of the Honourable Mr. L. C. Porter, C. S. I., contained in their letter dated the 16th October, 1918, to the Secretary to the U. P. Government, Local Self-Government Department.

In the light of the remarks made regarding the formation of electoral units I beg to suggest the composition of the Provincial Legislative Council on the following lines. Treating a district as an electoral unit we may for the purpose of general election divide the province into 52 units. There is a very great divergence in the franchise of each district whether it be based on any test—wealth, education or population, etc. Anyhow there will be a justification both on the ground of convenience and for the sake of popular representation to start to work out the actual strength of the Provincial Legislative Council by treating a district as an electoral unit. To start with we have to allot 52 seats to non-Muslims, one from each district, on our Provincial Council. The rest of the seats have been filled up after a careful analysis of the needs of proper composition of the council representing all interests. The seats for the Mohammedans will be in proportion to the agreement arrived at between the League and Congress representatives. With these remarks I beg to place before the Committee my suggestions regarding the composition of the Provincial Legislative Council.

Non-Muslims to be returned by election from the general or district constituencies.....	52
Mohammedans elected by communal constituencies...	22
Non-Muslims to be elected by the 7 large Municipal towns by general electors.....	12
Mohammedans to be elected by Muslim electors from the seven large Municipal towns.....	5
To be elected by the British Indian Association of the Talukdars of Oudh.....	6

To be elected by the Upper India Chamber of Commerce.....	2
To be elected by the United Provinces Chamber of Commerce	1
To be elected by the Allahabad University.....	1
TOTAL ...	101

In addition to the above there will be 24 nominated members. Of these, two will be out of the Anglo-Indian community and one from the European community and three will be the heads of departments in charge of the Transferred subjects and the remaining 18 will be nominated from other departments.

Thus the total strength of the provincial council will be 125.

It may be noted that excepting the seven large Municipal towns the other smaller Municipalities have been included in the general scheme of franchise and have no separate constituencies beyond those given to every district. This has been done in order to gain as large a franchise for each district as possible without unnecessarily increasing the number of representatives on the council.

Considering the population of the United Provinces the number proposed for the council is comparatively small. Besides one cannot forget the fact that the real training for the realisation of responsibility to govern is to be given in the provincial governments.

S. M. HABIBULLAH,

Talukdar,

Saidanpur.

Brief Memo on the question of Franchise.

ELECTORATES.

Electorates to be formed on the basis of property qualifications only.

Rural and Urban electorates should be formed separately.

Rural Constituencies.

Districts to form units of constituencies generally but smaller districts may be joined to the adjoining ones and larger districts be given two electorates each. viz. Dehra Dun and Naini Tal be joined to Shahjehanpore and Garhwal respectively while Gorakhpore and Basti be given 2 electorates each.

One per cent representation of the Rural Population in the electorates will be sufficient for the present in my opinion.

Qualifications of the voters may be adjusted according to the varying conditions of the Districts; but generally the number of voters in each constituency should be according to the above proportion.

I may suggest the following qualifications the

(2)

the possession of which may entitle a person to

vote:-

Revenue Payers of Rs 25/- and above;

Tenants of Rs 50/- and above ;

Secured tenants may be treated as Revenue-payers;

All Income Tax payers.

But in the Districts where , owing to the smallness of the population the number of voters fall short of five thousands the above qualifications should be so lowered as to raise the number to that level.

It should also be provided that in every constituency each village must be represented by one voter at least residing in that village. In the case of the villages where no persons may be found possessing the prescribed qualifications the highest rent payer residing in that village may be enrolled a voter.

(3)

Urban constituencies.

Divisions to form unit of Urban constituencies

generally, but smaller divisions may be joined to the adjoining ones- viz Kamsun and Gorakhpur to Barrellie and Benares respectively.

Five per cent representation of the Urban population in the electorates will be sufficient for the present.

It is equally difficult to suggest qualifications that may suit to all the Municipalities, as is the case with the Rural areas, but I may suggest the following qualifications which may be highered or lowered according to the varying circumstances of the Urban areas in order to maintain the proportion of 5 per cent representation as mentioned above:-

The qualifications shall be :-

- (1) The possession of an annual income of Rs 200/- or above;
- (2) The occupying a house of an Annual Rental of Rs 36/- or more;

But in cases of the Divisional constituencies where the number of voters fall short of five thousands the above qualifications should be so lowered as to

(4)

raise the number to that standard. The following seven larger Municipalities may be given separate electorates, viz: Lucknow, Cawnpore, Allahabad, Benares, Bareilly, Agra and Meerut; but in that case these should not be allowed to participate in the Divisional elections.

Plural voting be allowed.

The composition of the United Provinces Legislative Council should be as follows:-

48 Members from Rural constituencies,

15 Members from Urban constituencies,

statutory (8 members from Divisional Constituencies
of Towns
excluding (7 members from seven larger Municipalities,

27 seats to Mohammedan members

1 Member from Upper India Chamber of Commerce

1. ,, ,, United Provinces Chamber of Commerce

1. ,, ,, Allahabad University

6. ,, ,, British Indian Association

5. ,, ,, Big landholders of Agra paying Rs

10000/- or above Revenue.

21. Members nominated by the Government.

tal 125

Jagannath Singh
Thakur Jagannath Baksh Singh,
Taluqdar,

Rahwan Estate, District Rae-
- Bareilly

D/25th November, 1918.

Agra Province Zamindars' Association, Allahabad.

REPRESENTATIONS ON THE INDIAN CONSTITUTIONAL
REFORMS.

We, as landholders, are bound to say, the Scheme of Reforms submitted to the British Cabinet by His Excellency the Viceroy and Mr. Montagu is conceived in a well considered and liberal spirit. The principle on which the whole scheme is based is certainly conducive and calculated to prepare the people of India to attain complete self-Government by stages within a measurable time. Having regard to the fact, that the scheme is pregnant with immense possibilities, opening up nobler and higher prospects in future, we place on record our sense of extreme gratefulness to the authors of the scheme.

We cannot but feel, however, that the authors of the scheme have paid more attention to those who have been most vocal, and who have lost no opportunity of stating their views from day to day on every conceivable occasion—on the platform, or in the Press. We, the landholders of India following our old tradition of trust and confidence in the Government, and wishing to do nothing, that might tend to embarrass it in these anxious days of war confined ourselves to a mere representation and a statement of our claims to the Viceroy and the Secretary of State for India.

Neither we pressed our case with the same persistence, nor we adopted the same methods on the platform and in the Press, with the result, that our claims and legitimate demands have not received the same attention, which they deserved. It seemed to us, that our silence has been interpreted to mean that there was no real demand or necessity for giving us effective separate representation with a view to safeguard our interest. We certainly feel that there is little in the Scheme of Reforms to enthuse over, and on the whole, so far as we the landholders are concerned, it is absolutely disappointing.

While we are thankful to His Excellency the Viceroy and the Right Hon'ble Mr. Montagu for having at least accepted the principle of separate representation to the great Landholders in those Provinces only, where they form a distinct class (Report on Indian Constitutional Reforms, page 113 top-para. 232) we cannot but most emphatically say, that it certainly falls short of expectations and just claims by a long way. This is unfortunately the only indication in the whole Scheme of Reforms, as to how the interest of the landed community are to be safeguarded under the proposed scheme.

And, again, (page 113, para. 232) separate representation is to be granted only to the great Landholders forming a distinct class in a Province. We strongly take exception to this restrictive aspect of the provision. We are strongly of opinion that the principle of separate representation should be extended to the landed community in every Province, because its interest is distinct from those of other communities.

In every province, nay in every division and district there is the interest of zamindars, whether big or small, to be safeguarded. And it would be nothing but ruinous to recognize the necessity only, where the big landed magnates exist as a distinct class. Needless to say the interest of zamindars are identical with those of the great landed magnates. There seems no logical reason for accepting the principle in the case of one, while rejecting it in the case of the other. The only guiding principle should be the desire to fully and effectively safeguard the interest of the Landholders, and this is what certainly should not be lost sight of, while determining the legitimate and well deserved claims of the landholders in India.

The history of England clearly tells us, that there has always been a stronger and higher conservative house, which invariably has exercised a wholesome and sobering influence on the lower popular body, when acting rashly or legislating in an irresponsible and calous manner.

The idea underlying this arrangement is too obvious to be dilated upon, that is to say the basic principle is to have a conservative element everywhere, which will exercise a sort of a check on the radical tendencies of the new provincial bodies, and India is particularly a place, where this principle should always remain in the foreground of the mind, while adjusting the claims of respective interests of the communities. We deem it necessary to set out here certain observations and reasons, which will make it perfectly clear, as to what helpless and unenviable position we will be reduced to, if the reform were allowed to stand in its present shape, without inserting provisions, which will fully safeguard the interests of the landed community.

The majority of the members of the Provincial Council will, in all probability be drawn from communities following different profession, namely law, trade &c. &c. The taxes on professions being earmarked as Imperial Revenues, it follows that the members of Provincial Councils, in case of necessity, taking advantage of the unrepresented or the very inadequately represented state of condition of the landed community, can propose any fresh taxation, which will not in any way touch their pockets, but, which will immensely add to the already heavy burden of taxes borne by the zamindars.

It is too evident, that any fresh taxation or further burden, that is likely to be thrown on the people of the different provinces, will under the arrangements about the Imperial and Provincial heads of Revenue, invariably fall on the landed classes, and since they (the members of the Council) will control the finances and have power to increase the yearly budget and levy fresh taxes from time to time, with no limitation, they would naturally feel little compunction in continuing to add taxes after taxes to the detriment of the zamindars.

While trading classes and people belonging to different professions invariably make immense profits, with a tendency to be ever on the increase, we, the zamindars have limited fixed income, with little prospect of increasing our income as time goes on, especially when recurring settlements tell heavily on us. The matter does not end here. We, the zamindars have always to pay for any unforeseen public emergency, that might arise, namely, famine, floods &c. and other miscellaneous items. In addition to all this, we have to maintain our position and dignity, at an immense expenditure, out of all proportion to their actual income.

Besides, the reasons already set out, there are innumerable other cogent and convincing arguments, which could be advanced. However, we now proceed to offer a few suggestions, which, we venture to think, shall have to be accepted and incorporated in the scheme, if we are to play any useful part, as one of the most important section of His Majesty's subjects. The suggestions are, in no way exhaustive, and only some of the most important ones have been cited to indicate the line of action in the direction of Reforms:--

IMPERIAL GOVERNMENT.

1. At least, One seat in the Executive Council to be filled by a member of the landed community.
2. The Council of State to consist entirely of members from landed community.
3. In the Imperial Assembly at least 25 per cent. of the seats should be given to the members of the landowning classes.

PROVINCIAL GOVERNMENT.

1. One of the ministers or members of the Executive Council to be appointed from amongst landowning classes.
2. There should be a Second Chamber in the province also, analogous to the all-India Council of State.

3. In the Legislative Assembly at least 25 per cent. of the seats should be filled up by the members of the landowning class.

N. B.—The proportion of the land revenue or the land tax, which the landowning class contribute to the total revenue, should be the basis on which the question of the numerical strength of their representation should be settled.

DEPARTMENTS OTHER THAN CIVIL.

1. Commission. Ranks to be liberally thrown open to the sons of the zamindars.

2. Zamindars paying land revenue of Rs. 10,000 a year be exempted from the operations of the Arms Act.

The above claims are the least we are entitled to as an important community, which has well been described by His Honour Sir Harcourt Butler (at a recruiting meeting) as the backbone of the province, and it will not be presumptuous on our part to say that the description applies with equal force to all the Provinces. His Honour has struck a sympathetic and right note in saying that no reform will be complete without adequate representation of the landholders.

A survey of the past and present history of the community will reveal its traditional and never failing loyalty, not to mention the immense sacrifices it has been ever ready to make for the sake of Government. We need hardly explain that true to our traditions we shall ever willingly make sacrifices in life, wealth and resources for the Government in all time to come. We strongly but respectfully urge that the above mentioned alterations may be carried out in the Scheme of Reforms with a view to satisfy the legitimate claims of the zamindars.

2 South ROAD,
Allahabad

Dt. 24.11.1918.

Dear Sir,

Though I have been selected by Agra Province
Zamindars' association to give evidence, yet I would
like if permitted to say something on Mohamadun separate
representation; hence I submit a statement on that
subject.

Yours truly,

Sd. Abdul Majid
(Muzab).

Separate representation of Mohamadans

Franchise

The following persons should have a right of vote;

1. All persons paying Rs.100 and upwards as Government revenue or rent.
2. All persons paying Rs.50 as income tax.
3. All persons holding the title of at least Khan Sahib and higher.
4. Military retired officers of rank of Subaldar and Risaldar and upwards.
5. All honorary munsifs, honorary magistrates and special magistrates.
6. ~~iii~~ Graduates of 5 years standing.
7. Barristers.
8. Trustees of M. O. College.
9. Editors of Papers.

Constituencies

1. Provincial council should consist of 150 members out of which according to Hindu-Mohamadan settlement, the Mohamadan should have at least 30 percent representation.

At the rate of 30 percent Mohamadans will be entitled to 33 seats in the provincial council.

Accordingly I set out below the following arrangement of 33 constituencies by grouping system based on the population of the districts.

Provinces of Agra.

1. Dehra-Dun
Saharanpur
2. Kuzaffarnagar
3. Meerut
4. Bulandshahr
5. Aligarh
6. Ettra
7. Agra
8. Fainpuri
Etah
9. Bareilly
10. Bijnor

11. Budaun
12. Moradabad
13. Shahjahanpur
15. Farrukhabad
Etawah
16. Cawnpore
Fatehpur
17. Allahabad
18. Jhansi
Jalaun
19. Hamirpur
Banda
20. Benares
Mirzapur
21. Jaunpur
22. Ghazipur
Ballia
23. Gorakhpur
24. Basti
25. Azamgarh
26. Naini Tal
Almora
Garhwal
27. Lucknow
28. Unao
29. Rae-Bareilly
30. Sitapur
31. Hardei
32. Kheri
33. Fyzabad
34. Gonda
35. Bahraich
36. Sultanpur
37. Partabgarh
38. Bara-Banki

(3)

Nomination in the provincial councils.

25 seats should be reserved for nomination of official and non-official members in the United Provinces Council.

The Indian Legislative Assembly.

The Indian legislative assembly to consist of 150 members out of which 25 members should be nominated by the H.E. The Viceroy including officials.

The seats should be distributed on the provincial bases as follows:-

- U. P. 7 seats.
- Punjab 7 seats.
- Bengal 7 seats.
- Madras 7 seats.
- Bombay 5 seats.
- Behar and Orissa 5 seats.
- C. P. 3 seats.
- Assam 1 seat.

The 7 seats of U.P to be distributed as follows:-

- Meerut division 1 seat.
- Gorakhpur division 1 seat.
- Allahabad and Benares division 1 seat.
- Fyzabad division 1 seat.
- Lucknow division 1 seat.
- Jhansi division 1 seat.
- Cannan and Rohilkhand division 1 seat.

Franchising.

1. All revenue payers of 3 thousand and income-tax payers on 3 thousand.
2. All title holders, Barristers, Trustees of M.C.college, Editors of Papers and graduates of 7 years' standing should have right of vote for returning members to the Indian Legislative assembly.

Council.....

4.

Council of State.

The number of State council should be increased to 61 at least and 30 per cent representation of Mohamadans must be maintained. I do not think that the system of indirect election by the members of the provincial council to the State council is a sound one, as there is little chance of Mohamadans being returned by mixed electorate and hence their interest is sure to suffer.

The qualification of voters and the formation of the constituency to be exactly the same as that of the present Imperial legislative council.

Division of Function.

The Government of India should no doubt continue to exercise some control over the provincial Government with a view to carrying out its function and effecting its policy as long as it is directly responsible to the British Parliament and until provinces do not become completely autonomous.

The GOVERNMENT of India should at any rate not interfere with the internal administration of the provinces except in matters which have a direct bearing and effect on policy adopted by it. The fiscal policy of the Government of India while no doubt should be binding in the provincial Government should not in any way hamper the industrial progress of the provinces. The Government of India should only deal with matters directly effecting its policy of foreign relations, defence, foreign trade, tariff, racial question and should interfere with the provincial Government only in carrying out the above policy and with the object of imposing its will in the legislative and Imperial revenue matters.

Any way no excessive interference is desirable, otherwise the efficiency of the internal administration will suffer.

I can not say that I have succeeded in giving a detailed and comprehensive scheme as to what subject should be regarded as

Dated Allahabad, 4 Stanley Road, the 11th September 1918.
From—IBNI AHMAD, Esq., Bar-at-Law, Honorary Secretary United Provinces
Muslim Defence Association,
To—The Chief Secretary to the Government of United Provinces.

I am desired by the Committee of the United Provinces Muslim Defence Association to thank the Government for affording an opportunity to the Association to express the views of the Mussulmans on the Indian Constitutional Reforms as promulgated in the report of His Excellency the Viceroy and the Right Honourable the Secretary of State for India.

2. The Committee gratefully acknowledge that the authors of the report have evinced a genuine desire towards the improvement of the Constitution of the Indian Government, in that they to make it conform to the wishes of the people of the country. The sympathetic effort which has been made by the authors of the scheme calls forth a heartfelt gratitude from the Muslim Community.

3. I am, however, desired by my Committee to respectfully submit that a careful examination of the scheme has caused a great disappointment to the Mussulmans and they view with great apprehension certain proposals contained therein as they are likely to prove detrimental to their interests. They find that almost in all respects their interests are going to be sacrificed at the altar of a popular system of Government which though suitable to England is wholly unsuitable to the special circumstances of this country.

4. The idea of moulding the different communities inhabiting this unfortunate country and having different traditions, different history and different religion, though a laudable one, is not so easily realisable as the framers of the scheme appear to think. The Muhammadans as a community are entirely different from the rest of the people of India in regard to all matters that go to constitute a nation. The process by which it is desired to create an Indian nationality, my Committee beg to submit, will result in the total effacement of the Mussulmans as a community. This is a prospect which the Committee is not prepared to accept with equanimity.

5. Under the Morley-Minto Reforms Muhammadans were given the right of separate representation in all the provinces owing to the peculiar position which they occupy both politically and historically in this country. They were also given the right to participate in the election by mixed electorates. The reason for this later concession was that it would give an opportunity to the two rival communities to work together and thus gradually learn to have confidence in each other. Under the proposed scheme their right of communal representation is to be taken away from them in the provinces where they may be in majority though they may be deficient in wealth and education and may not be politically so organised as the sister community. The peculiar circumstances under which these rights were given to them have been totally ignored by the framers of the report. Although this right of communal representation is conceded to them wherever they are in minority. Yet unless their representations in the several bodies is made numerically sufficient and effective as was claimed by the Association in their address to His Excellency the Viceroy and the Right Honourable the Secretary of State for India at Delhi they apprehend that even this concession will not be of much value to them.

6. Before dealing with the Provincial and Imperial Councils the Committee venture to mention at this stage that having regard to the fact that the powers of the Municipal and rural boards are enlarged, that they would be allowed to manage their own affairs and that there will be little or no interference with their decisions, the representation of Mussalmans on such bodies should be through separate electorates, not only adequate but effective. Unless and until they are allowed to elect their own representatives on local bodies and their number is such that their voices may be heard effectively, it will be of no avail if they are given a few seats in excess of their numerical strength on Provincial and Imperial Councils. These local bodies, will, to a large extent, decide the questions of education, sanitation and other important matters. The Musalmans disclaim all suggestions of racial prejudice and are anxious to work in harmonious co-operation with other races in India, but they cannot shut their eyes to sharp

differences which unfortunately exist between various communities in this country, and which have become more pronounced in recent years. They have got some interests which concern them and the administration. Some of their interests may be supposed to conflict with the ideals of others, and it is for the due advocacy of such questions which are often of vital importance to the welfare of their community as well as for the smooth working of the administrative machine and the maintenance of strict impartiality that they want substantial and effective representation and further that their representatives must be men on whom they can rely and have confidence and who may be capable of understanding and expressing their views and feelings properly. They want their substantial, effective and separate representations from the initial rungs in the ladder of Self-Government upward to the Council of State as well as on all deliberative assemblies, and that is not anything new which they demand. They have been asking for it from the very beginning the representative institutions in India were introduced and solemn promises have been held out to them by high authorities in India as well as in England, that their rights would be safeguarded and their demands met in full. They simply ask the fulfilment of those pledges. Their disregard will surely cause great disappointment and bitterness.

7. At page 107 in paragraph 218 of the report under discussion it is proposed that in each province the Executive Government should consist of two parts. The one would comprise the head of the province and an Executive Council of two members. The other part would consist of one member or more than one member chosen by the Governor from the elected members of the Legislative Council. In the scheme appended to the address presented to the Right Honourable the Secretary of State for India, by the Association, on his visit to this country, in November last, the Association suggested that the Executive Council should consist of 4 members, 2 of whom should be Indians, one of the latter being always a Muhammadan. But the suggestion embodied in the report is a great improvement upon all the suggestions made in this respect and entrusts the Indians with greater responsibility. If this proposal is finally accepted and given a trial, the Committee submit that it would be in the interest of the Empire if both the Communities in these provinces should be represented on the Council. If a member or members of one community, be appointed, they apprehend, that it would seriously prejudice their rights and interests. This fair and legitimate demand of the Musalmans of these Provinces can be easily met with by making some such provision in the Legislation that if an Executive Councillor be a member of the Hindu Community the Minister should be a Muhammadan and *vice versa*, or that the Executive Councillor and the Minister should, alternately, be appointed from both the communities and that one community should not have its members in both parts of the Executive Government at one and the same time.

8. Much as the Musalmans wish to do away with communal representation in these provinces or in India, but unfortunately the cleavage between the two communities is so great that whether it is opposed to the teachings of history, or whether it perpetuates class division, it is such an essential and important adjunct that the sweeping away of it will do great injustice to their community and retard its progress to a very great extent. If this principle is done away with at present, one community will be placed in a position of political ascendancy over the other to its great disadvantage. Its interests would be sacrificed and progress stopped. A time may come when the general principle enunciated in the report on this subject may be found capable of practical application without sacrificing the interests of any of the communities, but that time, much as we regret, appears to be yet far far off.

It was after a very careful and thorough study of the problems and the condition of the country and its people that the principle of communal and substantial representation for the Muhammadans was recognised by the great British statesman Lord Morley and great pro-consuls like Lord Minto and Lord Hardinge.

9. It has often been recognised by the Government of India in its despatches in 1909, as well as, by His Majesty's Secretary of State for India and also by

the people concerned, that the principle of proportional representation in this country is wholly unsuited and will work great hardship in the case of the Muhammadans. The compromise arrived at by the League and the Congress indicates the same. Keeping these facts in view and having regard to the enlarged powers of the newly proposed assembly the real non-official character which is going to be given to them in future, the Committee find it all the more necessary, just and equitable, that the representation of Musalmans on such assemblies, as well as on other committees to be established to draw up the details, etc., should be equal to that of the rival community, otherwise the result would be that one community will dominate the will of the other and place Musalman interest in the hands of unsympathetic majority, as our past experience shows.

After carefully reviewing the whole situation once again, as well as the changed circumstances the Committee most respectfully but earnestly submit that it would be fatal to the principle of local self-government if the Musalman representation is not substantial and effective and one section is allowed to exercise the preponderating influence over the other and that it would also give rise to feelings of grave resentment among the loyal Musalman subjects of the Crown. The reasons given and the demands made in paragraph 6 apply with equal force to the Provincial and Imperial Councils, as well as to the Committees to be appointed under paragraphs 225, 238 of the report.

10. The Musalmans of these Provinces welcome the proposal as to the appointment of two Indian Members to the Executive Council of the Governor General. The Committee submit that a member from each of the two communities should be appointed to hold the office. There is no dearth of Musalmans of high education and character, possessing vast experience and knowledge of the country and its people, who, if appointed to the posts, would prove themselves capable and fit to do the work entrusted to them. When the services of such Musalmans can be easily secured the Committee feel sure that His Majesty's Government would be pleased to legislate that both the interests should be equally represented on the Council.

11. The Committee regard the proposal of the creation of the Council of State as most healthy and sound but they have the gravest objection to the proposal that the Muhammadan Community should be allowed to return only two members directly to the Council. This is done on the assumption that four more Muhammadans are likely to be returned by indirect election, otherwise the deficiency may be made good by nomination. Considering the interests involved, the total strength of the Council which is fixed at 50, excluding the Governor-General of whom 25 will be non-officials, the seats assigned to them are far too few. They would thus form about 1-25th of the whole, about 1-12th of the non-officials and about 1-10th of the elected representatives. The possibility of there being 6 members on the Council is far remote and is merely an assumption, the fulfilment of which, according to our past experience, has been both variable and capricious, and not satisfactory to the Muhammadan Community. The Committee most respectfully beg to urge that the Musalmans would not get what they are even entitled to on a numerical basis, far less on consideration of their status and stake in the country. They regard the proposal as a serious blow to the principle of communal and substantial representation. It is in a sense going back from the pledges as well as setting back the settled and recognised principle. There is no guarantee, whatever, that there would be any real Muhammadan representation over and above the inadequate total of seats expressly reserved for them, and specially when we find that in most of the provinces the majority of electors would be non-Muslims. Muhammadan candidates will have to take their chance in most of the constituencies where they are in minority and they will have to face old-established and very well organised forces. If every Muhammadan elector will be entitled to record both his votes in favour of one candidate, the Hindus will have the same right, and consequently there would be practically no chance for a Muhammadan candidate to be successful. Past experience does not leave any shadow of doubt in this respect. The scheme makes Muhammadan representation dependent, so to speak on a gamble. Even if a Musalman would be fortunate enough to be elected by general electorate it would be by favour of voters not of his own faith but by subscribing to the political doctrines of the majority and hence he would not be of the type to

represent the overwhelming mass of Muhammadan opinion and his presence may prove detrimental to the Community.

My Committee do not regard the system of nomination commendable during these times of advancements. It may lower the prestige of the community as well as of the individual member in the eyes of his colleagues.

According to the working of the scheme they will form 1-25th of the whole which representation of the interest would be extremely nominal. The provision of merely 2 seats, plus the shadowy chance of participation in the mixed elections cannot be accepted as constituting the fulfilment of the pledges given to them and repeated from time to time. In this connection the Committee beg to refer to a passage of so eminent a politician as Lord Morley, in his letter to the Government of India at the time the Reform Scheme was promulgated. His Lordship said "No system of representation would be satisfactory if it did not provide for the presence on the Council of sufficient representatives of communities so important as are the Muhammadans."

In the opinion of my Committee Muhammadans will not be justly and fairly treated and the promise so often repeated cannot be carried out with any less provision of seats definitely allotted to them than 1-5th of the whole, i.e., 10 seats at least. The Committee respectfully submit that it is a very modest demand and any thing short of this will cause great dismay and sorrow to Musalman public.

12. The Committee view with great satisfaction the vesting of the power of veto in the Governor General. This is a guarantee that no measure adversely affecting any particular community or injurious to the interests of any section or opposed to the public policy or affecting public tranquility can be carried in the Councils or Assemblies and given effect to at the will and pleasure of the community which happens to be largely represented thereon.

13. As regards the army and the public services the Committee beg to repeat what they submitted in their address presented to the Right Honourable the Secretary of State and His Excellency the Viceroy in November 1917. They said "In view of the prevailing political conditions they beg to submit their demand, with all earnestness at their command, that a fair and adequate share in the State Services may be specified and reserved for the community. In their address of 1906 they urged their claims to the services of the State in the following words :—" We beg to observe that the political importance of a community to a considerable extent gains strength or suffers detriment according to the position that the members of the community occupy in the services of the State. If, as is unfortunately the case with Muhammadans, they are not adequately represented in this manner, they lose in the prestige and influence which are justly their due. We therefore pray the Government will be graciously pleased to provide that both in the Gazetted and the Subordinate and Ministerial services of all Indian Provinces, a due proportion of Muhammadans shall always find place."

The Committee submit that one community should not be allowed to swamp the other or ruthlessly mould its destiny. As suggested in paragraph 214 of the report that there should be even distribution of services between Europeans and Indians, the Committee beg respectfully to submit that the same principle should be applied in the case of Hindus and Muhammadans and that there should be even distribution of services between them as well. The Committee has already submitted elsewhere that there is no dearth of qualified Muhammadans in the country as used to be in times gone by and consequently they expect Muhammadan element in the services to be substantially increased.

14. The Committee, therefore, while recognising the general principles underlying the proposed scheme cannot acknowledge that the Muhammadan interests will be fully safe-guarded unless and until the objections herein detailed are removed.

The Committee apprehend that the effect of the proposed Constitution will be the transfer of the Government into the hands of "Hindu Bureaucracy" and this they are not prepared to accept without the safeguards suggested herein for the full protection of the Muhammadan interests.

The United Provinces Moslem Defence Association.

MEMORANDUM.

1. The Moslem community should receive, through their own separate electorates, adequate representation commensurate not only with their numerical strength but also with their political importance, that is to say the number of Musalmans should in no case be less than that of Hindus.

2. The Provincial Legislative Councils and the Indian Legislative Assembly should consist of members—both elected and nominated—representing the three main interests, *viz.*, (1) Hindus, (2) Musalmans, (3) Europeans, together with Anglo-Indians and Indian Christians—each class contributing an equal number to the Councils.

N. B.—In this memorandum the word 'Christian' means and includes Europeans, Anglo-Indians and Indian Christians.

A.—PROVINCIAL LEGISLATIVE COUNCILS.

1. The number of members, both official and non-official, elected and nominated, should not exceed 125 in the case of major provinces and 75 in the case of minor provinces.

2. The franchise in the case of Musalman electorates under the Reformed Councils of 1909 should be maintained with this modification that the land revenue and income tax figures should be cut down to one-third so as to sufficiently broaden the franchise.

3. Similar franchises should be created for the election of Hindus and Christians—*i.e.*, the qualifications applicable to Musalman voters should apply *mutatis mutandis* to Hindu and Christian voters as well.

4. There should be special electorates for the Universities. The Fellows should send Hindu, Musalman and Christian members to the Provincial Legislative Council by rotation. If a Musalman is sent up by a University to the Council then the number of members to be returned by the general Musalman electorates should be reduced by one—the loss falling upon some plural constituency. The same rule should apply in the case of Hindus and Christians also.

5. We beg to propose a full scheme for the United Provinces Legislative Council as a model and suggest that the scheme for other provinces should be formulated on similar principles, due regard being had to the local conditions prevailing in such other provinces.

(a) The number of members both official and non-official, elected and nominated, should be 120. This number should be divided into three compartments of 40 each and the Hindus, Musalmans and Christians should have each 40 seats. The number of nominated members should be one-fifth of the whole body, *i. e.*, 24. We are against the principle of nominating non-officials under the new scheme for the reasons, which justified the practice, have ceased to exist as the Councils are going to be enlarged considerably. But if the Government chooses to retain this power then the number of nominated non-officials should not exceed one-sixth of the total nominated members.

The distribution would be as follows :—

Total strength of the Council = 120

Nominated members :		Elected members :	
Officials (Christians)	20	20 non-officials	
„ (Hindus)	2	38 „	
„ (Musalmans)	2	38 „	

We suggest that the number of nominated officials or non-officials who may be Hindus and Musalmans should be equal. Necessarily the 20 nominated officials for many years to come would be Christians. If the nominated officials are all Christians then the figures quoted above would be much simplified.

Nominated Christians	24	Elected Christians	... 16
		Elected Hindus	... 40
		Elected Musalmans	... 40

The number of elected Christian members would thus be 16 and the two remaining Communities would have 40 each.

(b) The Musalman constituencies in these Provinces together with the number of seats allotted to each such constituency should be as follows :—

Constituency.	Seats.	Constituency.	Seats.
Allahabad ...	... 2	Cawnpore and Fatehpore ...	... 2
Banda and Hamirpore ...	... 1	Etah and Etawah ...	... 1
Jhansi, Jalaun and Lalitpore ...	... 1	Benares ...	... 1
Ghazipur, Ballia and Basti ...	... 2	Gorakhpur ...	... 1
Azamgarh ...	... 1	Mirzapur and Jaunpur ...	... 1
Agra... ...	... 1	Farrukhabad ...	... 1
Aligarh ...	... 2	Mathura and Mainpuri ...	... 1
Saharanpur and Dehradun ...	... 1	Meerut ...	... 1
Muzaffarnagar ...	... 1	Bulandshahar ...	... 1
Bareilly ...	... 1	Bijnore ...	... 1
Moradabad ...	... 1	Budaun ...	... 1
Shajahanpur ...	... 1	Pilibheet ...	... 1
Kumaon Division ...	... 1	Lucknow ...	... 2
Unao ...	... 1	Rai Bareilli ...	... 1
Sitapur and Kheri ...	... 1	Hardoi ...	... 1
Fyzabad ...	... 1	Barabanki ...	... 1
Sultanpur and Partabgarh ...	... 1	Gonda ...	... 1
Behraich ...	... 1		

We have grouped together certain districts where the Musalman population is either small or backward. The Hindu constituencies may with slight modifications be similarly constituted.

The Christian constituencies may be fixed in big centres of Christian population, e. g., Lucknow, Cawnpur, Allahabad, Agra, Benares, Bareilly, Meerut, etc.

We further suggest that Government nomination should come first or at any rate the Government should announce the number of its members (nominees) from among the officials or non-officials belonging to the three denominations.

- (c) In the case of the Bombay Provincial Council the Parsees should have 2 seats of their own, elected by their special electorates. The franchise being the same as in the other provinces and constituencies.

B.—INDIAN LEGISLATIVE ASSEMBLY.

1. The total number of members in the Indian Legislative Assembly should be 151 excluding the Governor-General.

2. The franchise for all the seats—Hindus, Musalmans and Christians should be the same as that provided for the Musalman constituencies under the Reformed Councils of 1909 with this modification that the income tax and land revenue figures should be cut down to one-third.

3. (a) Out of 151 members the Parsees should have the right to elect one and the Government should have the power to nominate thirty. The remaining 120 members should be elected by Hindus, Musalmans and Christians. We propose that these 120 seats would be further distributed and arranged as follows:—

NOMINATED MEMBERS.			ELECTED MEMBERS.		
Christians (officials)	...	26	Christians	...	24
Hindus (officials or non-officials)	...	2	Hindus	...	48
Musalmans (officials or non-officials)	...	2	Musalmans	...	48
Total	...	30	Total	...	120

- (b) The allocation of 50 seats in the case of Musalmans should be as follows:—

The Punjab 9, United Provinces of Agra and Oudh 9, Bengal 9, Bombay 6, Bihar and Orissa 6, Madras 6, Central Provinces 2, Burmah 1, Assam 1, Delhi 1. If the Government nominates one or more members (Musalmans) from one or more provinces the elected seats of the Musalmans of that province should be reduced by that number.

Now the 9 members of the United Provinces of Agra and Oudh should be distributed as follows:—

Allahabad and Jhansi Divisions 1, Benares Division 1, Gorakhpur Division 1, Lucknow Division 2, Fyzabad Division 1, Rohilkhand and Kumaon Divisions 1, Meerut Division 1, Agra Division 1.

The same principle as far as possible might be applied to other provinces according to the distribution of population in them.

- (c) As regards the Hindu and Christian constituencies it should be noted that they ought to be formed in different provinces according to the distribution of their respective populations, the only restriction being that the total number of the allotted seats in every province should under no circumstances be exceeded.
- (d) The Parsees should elect one member for themselves for the Indian Legislative Assembly. The voting qualifications should be the same as in the case of Hindus and Christians.

C.—THE COUNCIL OF STATE.

We beg to submit the following suggestions as regards the Council of State. It should be composed of 50 members of whom 25 should be nominated officials

and members of Executive Council and 3 should be nominated non-officials. The Christians would of course be in overwhelming majority and therefore they need not be given any electorate for this body. The remaining 22 seats may be equally divided between Hindus and Musalmans and the Provincial Legislative Councils should elect the representatives of their respective provinces for the Council of State. The Hindu members of a Provincial Council should elect Hindus, and the Musalman Members Musalmans.

The distribution of the 11 seats should be as follows :—

The Punjab 2, United Provinces of Agra and Oudh 2, Bengal 2, Bihar and Orissa 1, Madras 1, Bombay 1, Burmah and Assam 1, Central Provinces 1.

The Hindu seats may be distributed according to the centres of population in the various provinces.

Having regard to the general character of the scheme formulated by us, it is not necessary to particularly safeguard the interests either of Musalmans or the large landed proprietors.

SYED AGHA HAIDAR,

M.A., L.L.B. (Cantab.),

*Barrister-at-Law, Member of the
Council of the Association.*

IBNI AHMAD, *Barrister-at-Law,*

Honorary Secretary,

*U. P. Muslim Defence Association,
4, Stanley Road, Allahabad.*

Dated 4th November 1918.

Recommendations of the Domiciled European and Anglo-Indian Federation in the United Provinces of Agra and Oudh, put forward at the request of the United Provinces Government.

The Representative Organizations of the Domiciled European and Anglo-Indian Community in the United Provinces, *viz.*, the Anglo-Indian Association, and the Provincial Branches of the Anglo-Indian Empire League, have carefully studied the Report on Indian Constitutional Reforms.

They desire to thank the United Provinces Government for the present opportunity afforded them of putting forward their views on the same, and so far as the community is concerned they beg to state as follows :—

I. It is regretted that nowhere in the Report is provision made for adequately safeguarding or furthering the interests of the Domiciled European and Anglo-Indian Community, hence its Representatives in the United Provinces respectfully beg to put forward the following whereby they consider that under paragraphs (A) and (B) the interests of the community will be furthered and under paragraph (C) they will be adequately safeguarded.

II. *Education.*—It is deemed imperative that facilities be provided for the satisfactory carrying out of a progressive policy which will place members of the community in at least as favourable a position as that of any other community in India.

It cannot be denied that, so far as education is concerned, facilities expressly for the community in India leave much to be desired. Mainly on this account the community views with alarm the suggestion that education should be one of the transferred subjects, and fears that it will be quite impossible for an Indian Minister to appreciate, at all adequately, the needs, or comprehensively enter into the aspirations of the community, which while in India is not of India but Western in its ideals, aims and aspirations.

The Hon'ble Sir Sankarain Nair, Member for Education with the Government of India, was recently in Allahabad. While there he visited and inspected the Muir Central College, the Oxford and Cambridge Hostel, the Law Hostel, the Government Hostel, the Muhammadan Hostel, the Hindu Hostel, as also the Ewing Christian College and its Hostels for Indians, but the European Educational Institutions, and the Government Experimental Collegiate Hostel for members of the Domiciled Community in Allahabad he left severely alone. The latter ought to have been of particular interest to the Member for Education inasmuch as it is the first and only attempt of its kind in the whole of India and though conducted by the United Provinces Government ought to be of Imperial interest since students from all over India have been attracted to it. Sir Sankarain Nair, however, did not apparently consider it worthy of a visit.

This may be a small matter, but it is generally in just such small matters that men can rightly visualise danger, and surely if the Indian Member for Education can, under the present régime, so entirely consider Indian to the complete exclusion of Anglo-Indian Educational Institutions it is time that foreseeing men took thought for the future.

In any redistribution of functions therefore care must be taken to see that the interests of the community, in the matter of education, are not prejudicially affected.

(A)

Primary and Secondary Education.—Inadequacy of assistance given by Government to European Schools makes necessary, save in cases of schools that happen to be endowed, a scale of fees that is often just beyond the means of the member of the Domiciled Community.

It is therefore necessary that further assistance be given so as to ensure that primary and secondary education for members of the community shall be the best possible either (a) by increased grants to schools in order that the scale of fees may be lowered, or (b) by special grants for the assistance of parents whose incomes make payment of the full fees impossible by them.

Higher or University Education.—It is considered to be essential that any member of the community who has creditably passed the Senior Cambridge Examination shall be able thereafter to secure an University Education in a Western environment. It is deemed of the first importance that higher education for members of the community be of a Western and not an Eastern type, hence the representatives of the community pray that facilities be given for the early consummation of the scheme which has for its object the provision and endowment of an Anglo-Indian Tutorial Collegiate Hostel at Allahabad, with which the Government is already familiar, and further for the eventual extension of this Hostel so as to fully meet the needs of the community with regard to collegiate education.

Affiliation of Anglo-Indian Colleges with British Universities.—Finally it is considered that the time has now come when British Universities should be approached by the Provincial Government on the question of holding their higher examinations simultaneously in India and England so that Western education which the community deems of so great importance and so ardently desires for its members may be attainable in India.

(B)

Employment—Public Services.—It is the considered opinion of the community that subjects should be *transferred* only after the closest scrutiny and the most careful deliberation.

The only experience from which possible results can be deduced is that on Municipal Boards and the manner in which the Eastern element there has invariably had to depend on the Western does not tend to make the community view with equanimity any general transference.

Indeed, the failure of Local Self-Government, as evidenced on Municipal and District Boards, does not encourage the hope that Self-Government in a wider sense will be a success in the present stage of advancement which the country has attained, and on this account the representatives of the Domiciled Community in the United Provinces urge that the suggested transition be most gradual.

Owing to lack of facilities for the attainment of higher education, where employment in the higher services is to be determined by competitive examination, the community must for some time be under a heavy handicap, hence it is requested that a certain proportion of appointments open to residents in the Provinces be awarded the community for inter-communal competition.

It is a well-known fact that the Engineering, the Forest, the Survey, the Police, the Educational and other Departments have hitherto been to a large extent manned by members of the Domiciled Community, and it has moreover invariably been admitted that they have creditably acquitted themselves and fully held their own with other communities, hence it is earnestly requested that provision be made for the continuance of admission of members of the community into all these Departments.

In view of that special claim (*vide* Report, paragraph 346) which the community has on the Government of India it is suggested that such earmarked appointments be equivalent to not less than five per cent. (5%), with a minimum of one appointment annually.

It is further requested that provision be made for the direct appointment of members of the community to the higher grades of the Police Service through the Police Training Schools, and also for the promotion of a certain number of deserving candidates from the subordinate to the superior grades of the Police Service, and that this rule be applicable to all Imperial Services open to residents in India.

(C)

Representation.—(1) It is the considered opinion of the community, not only in the United Provinces but throughout India that without continuous representation its interests cannot be adequately safeguarded.

The Report indicates that the community may be awarded representation by nomination.

It is, however, the unanimous opinion of the community throughout India that representation by nomination will not meet the case.

There is no satisfactory reason why the community should not be given representation by election, nor has any such been advanced. In loyalty it is second to none. It has given of its man power a comparatively higher percentage than any other community in India.

While the community may not be able to show a large array of graduates, in primary and secondary education it is comparatively better educated than any other class in India, and certainly is educated enough to beneficially exercise the privilege of a 'vote'.

Lastly and primarily the community is not temporarily but permanently resident in India, and thus first and last its interests circle only in the country, hence the Anglo-Indian Association, United Provinces, and the Provincial Branches of the Anglo-Indian Empire League at Jhansi and Lucknow earnestly pray that the Domiciled European and Anglo-Indian Community be awarded on the Provincial Council, the Indian Legislative Assembly and on the Council of State. Thus only does the community consider its interests can be adequately safeguarded, and the recommendation of both His Excellency the Governor General, and the Hon'ble the Secretary of State be efficiently given effect to.

(2) In view of the unusually important position which the community occupies in India (an importance which it is feared, the Government frequently loses sight of, since it apparently altogether fails to take into consideration the fact that the community forms by far the most important and reliable portion of the staff on Indian Railways, of the Indian Defence Force, of the Indian Medical Department, of the Government Telegraphs, of the Secretariat, the High Court, the Board of Revenue, and other Government offices, of the Educational Service, the Subordinate Public Works Department, of the Forest Service, and of the assistant staff in non-official concerns—in other words the foundation for an extremely formidable Labour Party), it is urged that at least five per cent. (5%) of the seats be earmarked for the Domiciled European and Anglo-Indian Community.

(3) While it is considered that the Franchise should be on as broad a basis as possible, and that generally every man or woman who pays direct taxes or land cess should have the right to elect a political representative it is recognized that the elector must be literate as well as possessed of property, hence it is suggested that all who pay direct taxes or land cess and can read and write English shall be entitled to vote.

In forwarding the above the Domiciled and Anglo-Indian Community in the United Provinces assures the Government that it is both willing and ready to take its place and to play its part in the political life of the country, as suggested in paragraph 155 of the Report, provided always that full facilities for doing so be afforded it.

Its representatives, therefore, pray that the suggestions herein set forth may be carefully and sympathetically considered.

Submitted by order of the Presidents of—

- (1) THE ANGLO-INDIAN ASSOCIATION, UNITED PROVINCES.
- (2) THE ANGLO-INDIAN EMPIRE LEAGUE, JHANSI.
- (3) THE ANGLO-INDIAN EMPIRE LEAGUE, LUCKNOW.

ALLAHABAD :

C. T. ROBBIO,

The 30th October 1918.

Honorary Secretary, Domiciled European
and Anglo-Indian Federation.

Views of the Anglo-Indian Empire League.

THE REFORM SCHEME.

Preliminary Remarks.

The magnanimous spirit in which the proposed Reforms have been compiled commands admiration but My Council fear that the scheme unless substantially modified may defeat the very goal it is hoped to achieve and tend to create dissatisfaction, leading into aggressive politics, and terminating, perhaps, in a state of implacable hatred to Government; as the contemplated Indianization of the Administration at the present moment will, in all probability, throw the reins of Government into the hands of the Extremist Party whose attitude is notoriously hostile to the present British Character of the Administration.

The Report contains no single line of evidence that India, which in race, language and creed, is totally different from other countries, desires any form of Government based on Western democratic lines. The fundamental truth that India is not a nation is lost sight of in the anxiety to meet the wishes of Indian politicians. There are many references made to the opinion of the politically-minded class but commercial opinion is ignored, and no attempt appears to have been made to discover the hopes and aspirations of the very great mass of the Indian population, who are illiterate and bound by caste systems and prejudices.

The great bulk of the Indian masses, comprising chiefly the agricultural millions, have never evinced any interest in politics or political reforms, their sole desire being to live and carry on their work in peace under the British Government in whom they have always had the fullest confidence. It is the opinion of My Council that if the information was conveyed to the masses that the Character of the British Administration was gradually going to be changed until the reins of Government were finally to be handed over to their own countrymen the knowledge would be universally bemoaned as a public calamity of the very gravest nature.

The Report condemns the Congress League Scheme of Home Rule; it admits in more places than one that India is not ready for Self-Government on democratic lines; yet it adopts the Congress League Scheme of Home Rule under a somewhat different garb and transfers the powers of well-tried British Administration to elected representatives from an untried electorate composed of persons who, as a community, though not always as individuals, have repeatedly proved their incompetence in dealing with public affairs; and it is feared that if these proposals materialise and develop on the lines indicated in the Report they will not only undermine confidence in the stability of the Indian Administration but in all Indian Institutions both Fiscal and Financial.

Before proceeding to a detailed criticism of the Report My Council desire to record the fact that they emphatically disapprove of, and strongly protest against, the discussion of proposals involving changes of a revolutionary character in the Government of the country until more normal times prevail; the inevitable results of which will be to embarrass Government at a most critical juncture of national affairs, when the mind of both Statesman and Politician alike should be exclusively devoted to the successful prosecution of the war.

Executive Councils.—As the Reform Scheme imposes heavy responsibilities on the Governor General and Governors, My Council are of opinion, that it is of the utmost importance that these Administrators continue to have at their disposal competent knowledge on Indian affairs. It is therefore urged that the Constitution of the Imperial Executive Council should consist of a majority of European Officials of mature experience and proven capability and in the Provinces of at least three members, two of whom should be European officials. The proposal to allow the Governors of Provinces to

appoint, if it is necessary, additional members without portfolios will not, it is considered, meet the case. In this connection My Council note with deep regret that the Scheme makes it utterly impossible for any member of their community, however able and suitable he may be, to be appointed a Minister, inasmuch, as such appointments are filled from elected members only.

Another important point appears to have been overlooked, and, that is, that Governors should have the power to remove or compel the resignation of an inefficient Minister.

Communal Representation.—As the Scheme acknowledges the fact that it is necessary to enlarge Provincial Legislative Councils with added responsibilities, My Council are of opinion that the only thing that will meet the needs of the case will be representation on a communal basis for all classes. The objection that Communal Representation perpetuates class division will not, it is considered, stand examination; and while condemning this principle the Scheme concedes class representation to the Hindus, Muhammadans and Sikhs, thus, as it were, dividing up the peoples of India into three political factions, and creating a hardship on all other Indian minorities. This is not in keeping with British ideals and justice.

The first principle to observe when changing the administration of a country is to recognize existing conditions, and the existing conditions all point to the urgent necessity of Communal Representation. My Council, therefore, greatly fear that unless Communal Representation is conceded to all, caste prejudice will be unduly accentuated, and that the Reforms instead of quelling political unrest will introduce racial controversy and aggressive agitation.

General Committees.—My Council are opposed to the formation of Grand Committees as they will always bear the odium of packed bodies called into being according to the exigencies of the occasion. The contemplated right of appeal to the Government of India against the Governor's Certificates is objectionable, and it is strongly urged that the Governor's Certification in all cases should be final.

Under-Secretaries.—The proposal as contained in paragraph 224 with regard to the appointment of Under-Secretaries will be a distinct advantage to the amateur Politician and Statesman as a training ground for a higher political career.

Transferred Subjects.—The list of transferred subjects appear to My Council to provide ample scope to Ministers in the actual work of administration, but they would urge that right of re-entry be secured to the Government of India, or Provincial Governments, where such are administered detrimental to public interests.

The Budget.—My Council, while entirely agreeing with the proposal for the separation of Imperial and Provincial Heads of Revenues, consider that the drastic changes contemplated in the budget procedure should not be introduced until the new administration, evolved as a result of these proposed reforms, proves its stability.

Periodic Commission.—While recognising that the work of creating and training Electorates capable of realizing the weight of their responsibilities will not only be difficult but will also take considerable time, yet, My Council, consider that the establishment of a periodic commission every ten years to review the position resulting from Reforms introduced will be beneficial; and indeed, perhaps, prove a safeguard to the continuity of erratic administration.

Government of India.—As it is far safer to proceed slowly than to precipitate changes, which, if precipitated collectively, may culminate in disaster, My Council are of opinion that the changes proposed in the Government of India be deferred till the anticipated result of the new Constitution of Provincial Councils be proven. If the Governor-General's Council is to be reorganized and enlarged, My Council would suggest that special stress be laid on Communal

representation in order to meet the needs of all classes, and, that in the Council of State, Europeans and Anglo-Indians be given a fair proportion of seats, the same remark applying to the Legislative Assembly.

The India Office.—My Council have no considered opinion to offer at present on the proposals with regard to the India Office, but, on the general principle delineated in the Report, it would deprecate any changes in the powers of the Secretary of State beyond what necessarily follows from changes introduced into the Provincial Administrations. Further relaxations of control would only be justified when confidence is established by the successful working of the reformed administration.

The Anglo-Indian Community.—It is with feelings of the deepest appreciation that My Council note the admission of Government that their community is not strong enough to withstand the effect of changes which omitted to take into account their peculiar situation, and My Council desire to record their thanks for this acknowledgment. Further My Council desire to express the hope that these obligations, which on historic grounds, have a claim on the consideration of the British Government are adequately and effectively discharged. In pursuance of these admissions My Council desire to draw the attention of Government to the methods which in their opinion are best suited to win for the "community a secure position in the economy of India," and earnestly trust that the Government will give these claims very careful consideration in the final discussion of the Reforms.

(a) *Representation.*—In paragraph 155 of the Report it is stated "we offer them representation and we expect them to make good use of it; to learn to play their part in the political life of the country;" continuing it states, that the community must not rely on artificial protection; yet in contradiction to this admission My Council learn with regret that the community, in conjunction with all other minorities, is practically disfranchised. My Council strongly urge, with all the force at their command, that representation be granted the Anglo-Indian Community on a communal electoral basis in all Provincial Legislative Councils and on the Legislative Assembly; and that one permanent nomination be granted the community on the Council of State when this body is created. In confirmation of this request My Council have to state that the Anglo-Indian Community is as much an integral part of the population of India as the Hindu, Muhammadan or Sikh Communities, and to shut out its members from offices that are open to members of other communities, whether directly or indirectly, through the operation of onesided regulations, must be regarded by My Council as a great injustice and a failure on the part of Government to fulfil their admitted obligations. Further, nomination will not meet the rights and aspirations of the community, tending as it will to foster dependence, reliance on artificial protection and strangulation of communal growth, with the consequent result of producing a weak social and political position. Communal representation by election was allowed to the Muhammadans in 1909; and in recognition of their "sturdy loyalty" it is proposed to continue this concession. It is proposed also to extend this concession to the Sikhs, and to the Sikhs alone, while the interests of other communities and other minorities will, it is thought, be sufficiently protected by representatives nominated by Viceroys and Governors. It is urged on behalf of the Sikhs that they everywhere in the minority and experience has shown that they go virtually unrepresented, but if these are sufficient reasons for making a concession to them, they may be urged with equal force on behalf of the Anglo-Indian Community, who is also everywhere in the minority and is virtually unrepresented. Anglo-Indian loyalty is quite as "sturdy" as that of the Muhammadans and is beyond all question; their services, though not a word is said about them in the Report, have frequently been acknowledged; their position is admitted to be a "peculiar position", and yet it is not thought unfair to withhold from them a right which is conceded to others whose claims to consideration are not as great as those of Anglo-Indians.

It must also be remembered that the Anglo-Indian Community is the most literate and the most fitted to exercise the right of vote, and that therefore electorate representation is the *sine qua non* to its future welfare.

(b) *The Army*.—Indians are admitted to commissioned ranks in His Majesty's Army. My Council respectfully claim that this privilege be also accorded the Anglo-Indian Community. If Military Colleges are to be established for the training of Indian officers it is imperative that eligible men of the Anglo-Indian Community be also granted admission in existent training schools and colleges for British officers. The same remarks apply to all other ranks and branches of military service and it is urged that no exclusion should be made merely on the grounds that candidates are not of pure European parentage. What My Council fear is that after the War the old restrictions which debarred members of the Anglo-Indian Community from all branches of the British Army—restrictions which necessity has obliged the Government to relax—will be reverted to, and that the community will be made to endure the humiliation of being considered unworthy of enlistment.

(c) *The Navy*.—My Council consider it unjust that admission into the Royal Navy is denied Anglo-Indian lads and urge on Government the necessity of opening the doors of this service to suitable members of the Anglo-Indian Community.

(d) *Education*.—Hitherto European Schools, that is to say, Schools for Europeans and Anglo-Indians, have received special treatment in the matter of grants and scholarships on account of their special circumstances. To My Council it is more than doubtful whether this liberal policy will be continued when education, as one of the "transferred subjects," passes into the hands of Indian Ministers who will see no reason why any difference should be made between European and Non-European schools. The interests of the Anglo-Indian Community in this all important matter of education are likely to be prejudiced unless secure provision is made in time for their protection.

(e) *The Public Services*.—In paragraph 316 of the Report it is declared that "for all public services, for which there is recruitment in England open to Europeans and Indians alike, there must be a system of appointment in India", and it is proposed to supplement the present system of recruitment in England, by fixing a definite proportion of recruitment in India.

One of the main issues of the pronouncement of August 1917 was the policy of the larger admittance of Indians into every branch of the administration. This was definitely pronounced; and as definitely, is it now pronounced, that it is not easy for the Anglo-Indian Community to win for itself by its own unaided enterprise a secure position in the economy of India. This policy is tantamount to preferential treatment being afforded it on those strong historic claims it has on Government, and My Council request that Government be careful to see that this pronouncement is not forgotten or relegated to the archives of the past with regard to appointments in the public services; and that Government reserve a certain proportion of that percentage of appointments to be made in India for suitable members of the Anglo-Indian Community.

In conclusion, My Council desire, on behalf of the Anglo-Indian Community, to definitely assure Government that the criticisms and suggestions they have offered are in no wise hostile to progress in the direction of Self-Government and that the community is willing to co-operate loyally in any changes that may eventuate, but it is My Council considered opinion that such far-reaching Reforms should of necessity be most gradual. This is essential if the British people desire to retain India as integral part of the British Empire, not only in the interests of good government and public safety, but in keeping with that uprightness and straight-forwardness which, throughout its dominions, has become characteristic of British rule.

Finally, My Council respectfully desire to impress upon Government the imperative necessity of a member of the Anglo-Indian Community representing its interests when the Report reaches the last stage of discussion.

A. I. E. LEAGUE,

Thansit.

FRED. MURCUTT,

Honorary Secretary.

Memorandum by the Honourable Raja Sir Rampal Singh, K.C.I.E., on the question of Franchise.

PROVINCIAL LEGISLATIVE COUNCIL.

1. The experimental stage of Responsible Government which the illustrious authors of the New Reform Scheme have recommended for India requires all the more in a far greater degree not only the careful rearing and ungrudging solicitude without which no delicate infant institution can attain to robust and healthy maturity but also a wise constructive policy on sound lines so that no interests in proportion to their influence and importance may be left without a voice in its constitution. It is but truism to say that success can only be achieved by constituting proper electorates to whom the representatives elected would have to be responsible. No representative is worth the name who does not command the confidence of the electorate and is not in close touch with it, not only to take mandates from its constituents but also to lead and guide them in the duties of citizenship of the State. It would be inexpedient, impolitic and harmful to leave out of consideration or to pay meagre and indifferent regard to the masses of the rural areas who, though steeped in superstition and ignorance, form the bulk of population. It would not meet the requirements of the conditions prevailing here if in the electorates that may be determined upon the towns-people, forming but very small portion of the population of India, get the upper hand out of all proportion to their number or the taxes which they pay to the State Ex-chequer. No doubt they have an importance of their own due to greater diffusion of education and political ideas which the rural areas lack and to the extent of that importance I would not grudge a certain number of seats in the councils of India to be given to them but to allow them a greater representation than their importance, population or payment of taxes, warrant would be to mar the representative character of the Responsible Government. No misgivings ought to be entertained as to the existence of intelligent and capable material for the formation of electorates in rural areas. It only requires training and that can be acquired by the exercise of power. The authors of the scheme have themselves observed that "if sound beginning is to be made the foundations of the building must be laid deeper."

2. It also seems to me to be necessary for the sake of fairness and justice and to avoid inequalities that there should be no differentiation in the qualification of electors on racial or religious ground, I mean to say that if franchise be granted to a Subedar Major of one religious persuasion, the same should be granted to persons having the same rank and status but professing a different religion. This will inevitably lead to the lowering of franchise to the level to which the formation of electorates for communal representation may necessitate.

3. The District of the Provinces (or for the matter of that two or three districts may be joined together or any large district may be split into two) will form best units for general electorates but the circumstances of different districts vary so considerably from one another that the application of one definite franchise will not suit the rural conditions of all the districts. It will have to be laid down to meet the varying conditions of the districts.

4. In determining the number of voters for a general electorate in each such constituency population ought to have the first consideration that is to say that the number of voters to form an electorate for general election should be in proportion to the number of people inhabiting that district. I am of opinion that there should be at least one voter for every 200 of population that is 5 per thousand. But it would be far better if the proportion be one per cent. A large district like Gorakhpur may better have two electorates and the district having small population may be joint together for the purpose of returning a representative to the council. Unless a representative is elected by a general electorate consisting of about five or six thousand of voters he cannot be called representative in true sense of the word.

5. For want of detailed statistics I feel unable to suggest with any amount of definiteness the qualification that should entitle a person to become a voter in the rural areas in the general electorate but it should be based on the amount of revenue, cess, rent or income-tax paid by him.

6. As I have observed above, the rural areas of districts, subject to the consideration of population, should have their separate electorate, consisting of revenue, cess, rent, or income-tax payers. The urban areas of a division should have an electorate of their own consisting of income-tax and municipal-tax payers. If in any way such constituencies be not considered feasible or justifiable then as an alternative I will suggest that the payers of a minimum amount or above of revenue, cess, rent or income-tax of rural and urban areas be enrolled together as electors and formed into a constituency for the purpose of electing one representative to the Provincial Council. In either case one constituency would have to be formed for urban areas of the division consisting of the persons paying a minimum amount or above of municipal taxes.

7. I would like the limitation of the payment of tax to be put on the qualification of an elector but if that be not workable owing to the exigencies of communal electorates, Indian Government employes and pensioners above certain rank, titleholders, graduates etc., may also be enrolled as voters. In every case it is necessary that residential qualification should be enforced.

8. I have already noted above that conditions of the districts vary considerably and so one tax paying qualification shall not suit the requirements of all the districts of the province. It will have to be adjusted according to the circumstances of the district and in such a manner as the proportion of the electors to population may come to 5 per thousand. I do not think the difficulties of polling will be such as to necessitate any great limitation on the number of electors. In a general manner I take liberty to suggest that the payment of Rs. 50 or above as revenue or Rs. 75 or above as rent for fixed rate, under proprietary, or sub-settlement holding or Rs. 100 for occupancy or tenant at will holding may entitle a person to be enrolled as voter. This property qualification would have to be highered or lowered as the conditions of the district may demand. All income-tax payers should also be enrolled as such. Besides that I am of opinion that no village should be left without a voter and so if no person could be found possessing the minimum qualification any person paying proportionately the highest amount of revenue or rent should be taken in on the list of voters.

9. Such electoral rolls should be prepared subject to the rules about disqualification which the Government might impose.

10. These electorates may be given a free discretion to elect whomsoever they may like provided the candidate is a resident of the district in the case of rural electorates, and in the case of Municipal electorates, is a resident of the division. Of course such elections should be made subject to the rules of disqualifications.

11. In this way there will be about 45 rural constituencies, if I may so call them and about 8 urban constituencies each returning one member to the Provincial Council.

12. The big landlords of Agra may have the right to return 4 representatives from among themselves and the British Indian Association a similar number from amongst its members.

13. The Allahabad University, the Hindu University, the Indian and European Chamber of Commerce may each return one representative.

14. The large municipalities such as Lucknow, Allahabad, Cawnpur, Agra, Benares, may further be given a right to return one member each to represent them in the Provincial Councils.

15. Thus the Provincial Council will consist of members as follows :—

- 45 members from rural electorates.
- 8 " " Divisional Municipal electorates.
- 8 " " big landholders.
- 5 " " large municipalities.
- 1 Allahabad University.
- 1 member from Hindu University.
- 1 " " European Chamber of Commerce.
- 1 " " Indian Chamber of Commerce.
- 30 members from Mohammedan electorates.
- 25 Nominated officials and non-officials to represent minorities.

125.

16. I have strong objection to the idea of Grand Committees which the authors have recommended. There should be an upper house in the Provinces also similar to that of State Council suggested in the Government of India. It is needless to say anything as to its constitution at present.

INDIAN LEGISLATIVE ASSEMBLY AND STATE COUNCIL.

1. The most important point which I have very strongly to urge in connection with Indian Legislative Assembly is that in the recommendation for the representation of these Provinces the authors have failed to recognize the importance which they have as compared with other Provinces. If population, revenue or the history of these provinces be taken into consideration, I am sure, they would yield to none in their political importance. Whatsoever may be the criterion from which the matter may be judged these provinces are entitled in justice to get the same number of seats in the Indian Legislative Assembly as Bombay, Bengal or Madras. It would be a cause of great resentment and discontent if this recommendation will be allowed to stand as it is and the number of seats will not be increased to 11.

2. Fully convinced of the justness of the claim of these provinces for an equal representation with the presidencies of Bombay, Bengal or Madras I presume that 11 seats will be allotted to them in Legislative Assembly.

3. For the purpose of returning 11 members to the Assembly the provinces would have to be divided for election purposes into divisions on the consideration of population, area and revenue. Each such division ought to have at least about a thousand electors and the qualifications of the electors to be determined on the basis of payment of revenue, rent or income-tax.

4. These seats may be allotted to the following electorates as follows :—

- 2 Provincial Legislative Council.
- 1 Big landholders of Agra.
- 1 British Indian Association.
- 1 Muhammadan landholders of Agra and Oudh.
- 2 Muhammadan Communal electorate for the province.
- 4 Divisional electorate.

11.

5. As far as the divisional electorates may be concerned their discretion should not be fettered by any restrictions excepting those of ordinary disqualifications. Residence within the division should be imposed as a qualification.

COUNCIL OF STATE.

6. In connection with the proposed Council of State I wish to make only two observations. In paragraph 258 while treating the question of upper houses in the provinces the eminent authors have been pleased to remark as follows :—

“ We might secure men for the upper houses who would not seek election or even accept nomination to a composite assembly where the majority of members were of a different status from themselves; and so the second chamber might develop a conservative character which would be a valuable check on the possibly too radical proclivities of a lower house”. They rejected the idea on very weak grounds. But in the Government of India they have recommended and rightly the creation of a second chamber to be called the “ State Council”. If this chamber is to act as a moderator and brake upon the “ too radical proclivities of a lower house” it is necessary to impart to it some thing of a “ conservative character”. Instead of that their suggestion for the return of 15 members by the Provincial Legislative Councils out of 21 elected members would make it *ultra radica* if the Government majority be left out of consideration.

7. The claims of the aristocracy of the country—a class believed to be always conservative—have been very inadequately recognized. The six seats which are to be shared between the landed classes, Mohammedans and the chamber of commerce are quite insufficient to give adequate representation to the landed aristocracy in proportion to the importance and influence which it has in the country. It might well be composed of elected and nominated members of the aristocratic landed classes so that it may appeal to the sentiments and hearts of the masses who look upon them as their natural leaders. The indirect election which the authors recommend for the constitution of the State Council should not be accepted. Anyhow the large landholders of these Provinces ought to get one seat on the State Council.

Memorandum by Mr. Jagatnarayan to be represented to the Committee on
"Franchise".

1. The strength of the Legislative Council of these Provinces should not be less than 100 members. I would fix the strength at 120 in order to give adequate representation to all classes and interests.

2. It should consist of **four-fifths** elected and of one-fifth nominated members.

3. The Moslems to get separate communal representation in the proportion of 30 per cent. of the elected Indian Members by general electorates, but shall not participate in any of the other elections save and except those representing special interests.

There is no Brahman and non-Brahman question in our Province. Sikhs are not more than a few hundreds throughout the Province. *No separate representation to any other community.*

4. *Electoral units* :—

- (a) Districts.
- (b) Important cities.
- (c) Revenue Divisions.

Some of the Districts to be grouped together for purposes of election. In case of Moslems an absolute necessity.

Seven important cities having a population of more than one lakh to have a separate existence.

Other district towns to have separate existence in their respective Divisions.

5. *Qualification of electors*—

Every male and female who has completed 21 years and

- (a) who is a tenant paying an yearly rent of Rs. 50 or more.
- (b) who is a landlord paying Rs. 25 as revenue or more.
- (c) who is an income-tax payer.
- (d) who is recorded as a Municipal voter.
- (e) who earns Rs. 15 per month and is literate.

6. *Distribution of seats* :—

(a) Hindus or non-Moslems	...	...	63
(b) Moslems	...	...	27
(c) Special representation to Chambers of Commerce, Universities, Talukdars' Association, etc., etc.	...	...	10 ← <i>low</i>
(d) Nominated officials and non-officials	...	...	20
Total			120

7. *Distribution of 63 Hindu or non-Moslem seats* :—

48 Districts	...	...	43 seats.
8 Divisions	...	...	8
* 7 cities of more than one lakh of population	...	...	12 "
Total			63 "

8. The existing electoral laws to be modified and amplified—the method of voting to be made as simple as possible—no complication even at the risk of being unfair and illogical.

* For one lakh of population one representative and for every 50,000 up to one lakh an additional member.

Memorandum submitted by Rai Anand Swarnp Bahadur.

I.—FRANCHISE.

1. In devising a scheme for franchise and the composition of Councils, we have to bear in mind the following principles which can be gathered from the report on the Indian Constitutional Reforms:—

- (a) The Councils are to be enlarged.
- (b) A system of direct election is to be introduced—the system of indirect election should be swept away in the case of Provinces.
- (c) The franchise should be as wide as possible having regard to the materials at hand for the creation of an electorate.
- (d) the size of Councils must depend on an examination and measure of the electorate.
- (e) Although an educational qualification for the vote cannot be prescribed but practical difficulties make a very general extension of the franchise impossible until literacy is far more widely spread than is the case at present.
- (f) Care to be taken that all interests are fairly represented.

2. We have further to bear in mind that we will have the constituencies into territorial circles and although it may be desirable to have an uniformity in voting qualifications but having regard to different degrees of advancement in different parts, it is quite possible that in order to provide adequate electorate for each circle it may be necessary to differentiate qualifications for a vote in different circles.

Then we have to take into consideration the difficulties connected with the maintenance of electoral roll, the attendance of voters at polling station, the danger of impersonation, and the agency available for electoral purposes. For these reasons, although our aim should be to broaden the franchise, as far as possible, we should, at the outset, guard against, to use the words of the report, “any such inordinate and sudden extension of the franchise as might lead to a break down of the machinery through sheer weight of numbers.”

It is necessary that rules and regulations prescribing qualifications of voters and candidates and the system of election should be clear and simple which may be easily workable and with this object in view we may, if possible, utilise the materials available for electoral purposes in Municipalities and rural areas. The simplest course would have been as suggested by late Mr. Gokhale for Bombay Presidency that every district should return two members, one representing the Municipalities and the other the District Boards. But in fixing the extent of representation, i. e., the number of representatives for each electoral circle we should have regard not only to the population but also to the number of electors in the circle as well as to the degree of advance in education and public life and the importance of interests represented in that circle. As regards the rural and urban populations we find a marked variation in districts. The lowest rural population is less than 7,000. Then we find that there is a vast disproportion between the urban and the rural population of a District. For instance the rural population of Sultanpore is 1,039,005 the urban population is only 959; the rural population of Gorakhpur is above 31 laes and the urban population below 50,000.

3. It cannot at present be ascertained accurately what would be the average strength of the non-muslim electorate in a District according to the qualifications of voters suggested hereafter (and we do not know what qualifications may ultimately be laid down by the committee); but roughly speaking on the basis of the qualifications suggested herein it would be about 21,000 in rural area and about 1,600 in urban area. This means that by

allowing two members for each district we allow one representative on the average to 21,000 rural voters and one to 1,600 urban voters. The ratio on this basis roughly speaking would be 1 to 13. If we take the basis of population—we find that the average non-muslim rural population per district is approximately 8 lacs, and the urban non-muslim population is about 37,500. The ratio would come to about 21 to 1. I have excluded Muhammadans from the calculation because in these Provinces they will be allowed a separate representation, and presumably to the extent fixed by mutual settlement between the National Congress and the Muslim League—irrespective of the actual strength of their separate electorate or population.

From the above calculation it is clear that the urban population has a greater right of representation than the rural population, and this is what it should be. Because it is to the urban population that we could look for comparatively better qualified men in touch with public life and better fitted to discharge the duties of a councillor. As at present situated, although the bulk of the population is rural, the urban population is more advanced in education and more enlightened.

4. Now of the two basis of representation viz., one furnished by the strength of electorate and the other furnished by proportion of population I would prefer the former because the divergence would be comparatively smaller.

Although Mr. Gokhale's proposal of giving each district a right of returning two members commends itself for its simplicity, but having regard to the great divergence in population and the numerical strength of the electors in each district, and also to guard against undue extension of representation and consequently the return of incompetent persons to the Council I would prefer to make the following proposals:—

A.—On the basis of population—

- (a) All the smaller districts including Municipal areas, in which the rural non-muslim population falls short of 800,000, and the urban population falls short of 40,000 should have a right to return one member only.
- (b) The districts which have a rural population of not less than 800,000 but not exceeding ten lacs, and an urban population of not less than 40,000 but not exceeding 50,000 will have a right to return two members, one representing the rural population and the other representing the urban population.
- (c) Where the rural or urban population exceeds the averages above mentioned the extent of the right of representation shall be as follows:—
 - (1) *Districts.*—If the rural population exceeds ten lacs, then for the additional ten lacs or part of it one additional member and subsequently for every additional fifteen lacs or part of it one additional member. For instance if the rural population is 20 lacs—the district will have a right to return two members and if it is 35 lacs, it will return three members—and so on.
 - (2) *Cities.*—If the urban population exceeds 50,000 but does not exceed one lac—one additional member. If the urban population exceeds one lac but does not exceed two lacs another additional member and in case the population exceeds two lacs then for every additional lac or a part of it one additional member.

Note.—To guard against minor differences entitling a district to excessive representation I would suggest that in calculating the excesses according to the above rules, an excess not amounting to one lac in rural population and not amounting to 10,000 in urban population should not count.

B.—On the basis of electorate which I prefer to the basis of population, the scale should be as follows:—

- (a) The smaller districts where the numerical strength of rural electorates is below 21,000 and that of urban electorate below 1,600, should have a right to return one member only.

- (b) The districts in which the numerical strength of the rural voters is not less 21,000 and that of urban voters not less 1,600, should have a right to return two members one representing the rural population and the other representing the urban population.
- (c) Where the numerical strength of the rural or urban population exceeds the averages above mentioned the right of representation should be according to the following scale :—

1. *District (Rural population)*—

- (a) If the number of electors exceeds 21,000 but does not exceed 30,000 one member.
- (b) If it exceeds 30,000 but does not exceed 60,000 two members.
- (c) If it exceeds 60,000 but does not exceed a lac three members.
- (d) Afterwards for every additional 50,000 voters one additional member.

2. *Cities (Urban population)*—

- (a) If the number of urban voters exceeds 1,600 but does not exceed 2,500 one member.
- (b) If it exceeds 2,500 but does not exceed 5,000 two members.
- (c) If it exceeds 5,000 but does not exceed 10,000 three members.
- (d) Afterwards for every excess of 10,000 voters one additional member.

5. On the basis of numerical strength of electorate according to the above proposal the Districts in the United Provinces shall each have one member except the following who shall return the number of additional member designated against their names :—

Saharanpore	...	...	...	...	1
Meerut	...	...	...	...	3
Bulandshahar	...	...	...	...	2
Aligarh	...	...	...	...	2
Agra	...	...	...	...	4
Muttra	...	...	...	...	1
Cawnpore	...	...	...	...	2
Allahabad	...	...	...	...	2
Benares	...	...	...	...	3
Lucknow	...	...	...	...	3

23 + 48 = 71

6. As to qualification of electors, I think the simplest course for the present would be to adopt the electorate for each Municipal Board and District Board as an electorate qualified to elect members to Provincial Council. In other words the following electors shall be qualified to vote for election of a member to the Provincial Council subject to the rules of disqualification herein after mentioned :—

- (a) All electors entered on the electoral roll of a Municipal Board in a District.
- (b) All the electors entered on the electoral roll of the District Board in a District.
- (c) All graduates of any University who are not entered on the said electoral roll.

This method will have two fold advantages. In the first instance the materials and agency for preparing the electoral rolls will be found handy and secondly, it will have the effect of creating a more active and healthy interest in the electors for seeing that the Municipal and District Board electoral rolls are prepared carefully and accurately. I do not think that the variation in

property qualifications of electors obtaining in different Municipalities can be dispensed with to any advantage. The Municipalities Act, 1916, itself has recognized the difficulty of laying down any uniform qualifications of voters for all Municipalities. It may be possible to broaden the franchise in Municipalities by lowering the property qualifications where they are high and I am sure that when the interest of Municipal electors will coincide with their interest as electors for Provincial Council, the Municipal Board will themselves revise their rules of qualifications of electors. For the present, it would be sufficient to lay down that all Municipal electors shall be deemed qualified as electors for Provincial Council.

The qualifications of the electors of the District Board have not been yet laid down by any Act or rules governing the District Boards. But I understand that a new enactment is in contemplation in pursuance of the most recent Resolution of the Government of India on Local Self-Government. For the present the qualifications of the electors of the District Board may be taken as those suggested by the Committee of the United Provinces Legislative Council in its report published in the Government Gazette, dated the 9th November 1918, *viz.* :—

- (a) All landholders paying land revenue of Rs. 25 or upwards,
- (b) All tenants paying a rent of Rs. 50 or upwards,
- (c) All income-tax payers outside municipal limits, and
- (d) All persons assessed to any tax imposed by the local authority.

The third category of electors in my proposals is that of graduates as such. I need not discuss reasons for it. The United Provinces Legislative Council by a resolution passed by the non-official members have recommended that a certain standard of education should by itself constitute a qualification of an elector.

In these Provinces a graduate has been given a statutory qualification as an elector in Municipalities (vide section 14 of the Municipalities Act) and in all Municipalities of the United Provinces he is now recognized as a qualified elector. The reason why I have put down this qualification separately is because the Committee of the Council aforesaid has not adopted it in case of District Boards. But I see no reason why this statutory qualification should not apply to electors of District Boards as well.

7. Next as to disqualifications, I think the same disqualifications should apply to electors as are laid down in the Municipalities Act, section 14 (3).

8. Every person who can read and write English and who is an ordinary resident in the Province or has resided in the Province for a period of not less than one year next preceding the date of nomination shall be eligible as a candidate, unless such person—

- (a) is not a British subject, or
- (b) is a female, or
- (c) has been adjudged by a competent court to be of unsound mind, or
- (d) is under 25 years of age, or
- (e) is an uncertificated bankrupt or an undischarged insolvent, or
- (f) has been dismissed from Government service and is debarred from employment therein, or
- (g) is debarred from practising as a legal practitioner by order of any competent authority, or
- (h) has been sentenced by a Criminal Court to imprisonment for an offence punishable with imprisonment, for a term exceeding 6 months or to transportation, or has been ordered to give security for good behaviour under the Code of Criminal Procedure, such sentence or order not being subsequently reversed or remitted or the offender pardoned, or
- (i) holds a place of profit under the Crown, Government or any local authority.

9. In the case of communities allowed any separate representation the qualifications of the voters and candidates should be the same as in the case of general electorate.

10. In the case of special representation, the qualifications of electors and members should be as follows :—

(a) *University*.—The members of the Senate, and all registered graduates and honorary fellows should form the electorate.

(b) *Chambers of Commerce*.—All members of the Chamber.

(c) *Big landholders or landed aristocracy as they call it in the report—if special electorate is allowed to them*.—Landholders paying a Government revenue of Rs. 5,000 or more.

11. A member of joint Hindu family possessed of a personal qualification such as being a graduate should not be deprived of his vote merely because the *Karta* of the family has got a vote on the basis of property qualifications, and in the latter case other adult male members, other than the *Karta* of the family, should also have a right to vote, provided that they would have been eligible as electors, if the amount of rent, revenue or taxes paid by the family were divided among the members forming the joint family, but no voter shall have more than one vote though he may possess more than one qualification.

12. All votes should be by ballot.

B.—Communal representation and special electorates.

Muhammadans.—On principle, I am and have always been opposed to communal representation on the basis of difference of religion. But as this right has long been conceded in favour of the Muhammadan community and has now been treated as a settled fact at least for the present, there is no use of disputing it, or of disturbing the settlement arrived at between the Hindu and Muslim communities. But I am not in favour of extending the special privilege to any other community. So far as the Muhammadans are concerned, of course, they will have a right of returning, by their separate electorates, their representatives to the extent of 30 per cent of the total elected members of the Provincial Council. This number will fall short of 48, and they will have to group two or more smaller districts into one electoral circle according to the number of electors available.

Europeans and Anglo-Indians.—The European community including the Anglo-Indians does form a class by itself and it cannot be denied that it is an important minority which does not form an integral part of the population of India. But I venture to think that their interests are amply safeguarded by the presence of the European official and non-official element in the Council. With an adequate strength of official element, and with representatives of Chambers of Commerce in the Council and with the power of nomination vested in the Government the European and Anglo-Indian community need not have any apprehension as regards the protection of its interests. However I find that the European Association insists on separate election and if it is decided to give them a special representation by election, I think the group of Europeans and Anglo-Indian non-officials combined should have a right of returning not more than three members to the Provincial Council. In that case the necessity and reason for the Government nominating non-official Europeans should disappear.

The Sikhs.—In these Provinces the Sikhs do not form any important minority for whom it may be necessary to give any special representation. Their case does not stand on the same footing in these Provinces as in the Punjab.

The Indian Christians.—I do not think they have any distinct interests which must be safeguarded by separate election and they can very well pull on with the general electorate, and if necessary their representation can be secured by nomination.

C.—Institutional representation, or special electorate.—

I think the following should be given a right of representation to the extent mentioned below :—

- | | | |
|---|-----|-----------|
| 1. The Allahabad University ... | ... | 1 Member. |
| 2. The Benares Hindu University ... | ... | 1 Member. |
| 3. The Upper India Chamber of Commerce | | 1 Member. |
| 4. The United Provinces Chamber of Commerce | | 1 Member. |
| 5. The big landholders of Agra ... | ... | 1 Member. |
| 6. The big landholders of Oudh, ... | ... | 1 Member. |

D.—Nominations.—The proportion of nominated members in the Provincial Council should not be more than one-fourth of the elected members and the nominated officials should be reduced to a minimum necessary for the conduct of business.

E.—Communities that may be granted special representation by separate electorate of their own class should not have a right to participate in general electorate.

IMPERIAL LEGISLATIVE COUNCIL

OR

LEGISLATIVE ASSEMBLY.

Franchise and Constitution.—Although on a principle there can be no question that a system of direct representation is superior than that of indirect representation, as the illustrious authors of the report have themselves recognised. But to devise a scheme of direct general electorate for a population of 300 millions composed of different communities and classes and of different shades of civilization and status in life is no easy task. Even if we raise the qualifications of Voters to a height double or treble of that prescribed for the voters of a Provincial Council, I am afraid the number would still be so inordinate as may justify the fear of the authors of the report that it might lead to a breakdown of the machinery through sheer weight of numbers. But if instead of creating a general electorate for the whole India, we confine the electorate to provinces which will return members representing their own province only, the difficulty becomes less acute. Even then the task would be not so easy as in the case of election to Provincial Council because in the latter case we give each district the right to return a member and so the electoral circle is much smaller, whereas in the case of Legislative assembly if we keep to the number of representatives suggested in the report, each division in the United Provinces will not have a right to return a representative. If each division were given a right of representation even then the electorate to deal with would be much larger than the electorate with which we will have to deal in case of provincial councils. However the difficulties would not be unsurmountable if we shorten the electorate by prescribing higher qualifications for the electors I would therefore suggest that :—

1. The total strength of the Legislative Assembly should not be fixed *a priori* at hundred ; but it should be so fixed as to allow a right of representation to each division in a province.
2. A division in a province should form the electoral circle for returning a representative.

3. The qualification of electors should be as follows :—

- (a) All tenants paying a rent of Rs. 200 or more annually.
 - (b) All land holders paying a revenue of Rs. 100 or more annually.
 - (c) All persons paying an income-tax on an annual income of Rs. 2,000 or above.
 - (d) All persons paying any tax or taxes assessed by local authority the aggregate amount of which is not less than Rs. 50 a year.
4. The qualifications and disqualifications of members should be the same as in the case of Provincial elections.
5. The nominated element in the assembly should not exceed one-fourth of the total strength and of this not more than two-third be officials.

II.—According to the above suggestions the United Provinces will have right to send ten representatives, one for each division, besides the special representatives of Muhammadans. The other interests in the provinces should also be represented. Thus the United Provinces representatives in the assembly should be as follows :—

1. From general electorate	10
2. Muslim representatives	3
3. European and Anglo-Indians (if allowed separate representation)	1
4. Big landholders of Agra	1
5. Big landholders of Oudh	1
	16

I do not know exactly the number of divisions in other provinces, so I cannot fix the number of representatives in other provinces.

III.—If the number of Provincial Representatives to Legislative Assembly is not fixed by divisions, even then, I suggest that the United Provinces which rank first in population should have a right of representation, equal to that given to the Presidencies.

IV.—If per chance the system of direct election as indicated above is not found practicable and the committee decides on adopting an indirect method, in that case I would suggest that the indirect method should be made less attenuated than what it is at present. The indirect electorate in that case should consist of—

- (a) All non-official members of Municipal Boards in the Provinces.
- (b) All non-official members of District Boards in the Provinces.
- (c) All non-official members of the Provincial Legislative Council.
- (d) All fellows of the Universities in the Province.

Memorandum on Franchise for United Provinces.

GENERAL.

1. Franchise should be as wide as the present conditions of the Indian people would permit; definite provisions should be made for the gradual extension of the area of franchise with the advance of time and training.

2. In considering the question of fitness for franchise it should, I submit, be borne in mind that illiteracy does not necessarily imply lack of intelligence required to make a fairly proper choice of a candidate, and in few countries as adequate literary and educational qualification been made the condition precedent for the first exercise of the right of franchise.

3. I am opposed to separate communal representation, specially separate communal electorate, on principle, but in order to secure unity between the two great communities, namely, the Moslems and the Hindus, I would allot 30 per cent. of the seats of elected Indian members (excluding those elected by special interests, which could return Muhammadans) in the Legislative Council, to the Muhammadans, hoping that before long this wrong principle of representation will be abandoned by the mutual consent. Qualifications for Muhammadan voters and candidates should be the same as in the case of non-Moslems. Muhammadan voters should not participate in general election.

WHO SHOULD HAVE VOTES.

1. Any man or woman having any of the following qualifications and being of the age of 21 or more :—
2. No voter should have more than one vote.
3. Those who pay Government revenue of at least Rs. 25 a year.
4. Those who pay annual rental of at least Rs. 25 a year.
5. Those who pay income-tax.
6. Those who have right to vote in Municipal elections.
7. Those who have passed the Matriculation, or School Leaving Certificate or high examinations, or some recognized vernacular or classical degrees; provided, no student who is actually prosecuting his studies and who is not a graduate of any of the recognized universities would be entitled to vote.
8. In joint Hindu families as many members thereof will be entitled to vote as the numbers of votable minimum into which the total tax or rental paid by the family could be divided.
9. Members returned by the Universities, Chambers of Commerce, both Indian and European, Taluqdars' Association and any other special interest would be elected by their respective special electorates.

DISTRIBUTION OF SEATS.

1. Four-fifth of the total number of members should be elected, and one-fifth nominated by the Government from officials and non-officials.

2. There should be 150 members as follows :—

- 37 Muhammadans
- 73 Non-Muslims for general electorates,
 - 2 Oudh Taluqdars' Association.
 - 2 Universities; one by Allahabad University and one by Hindu University of Benares.
 - 2 European Chamber of Commerce.
 - 1 Indian Chamber of Commerce.
 - 2 Landlords of Agra Province.
 - 1 Any other special interest.
- 30 Nominated members out of which 20 should be officials and 10 non-officials.

Total	150
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3. The 73 non-Muslim elected members should represent all the districts and important cities. Each district should be represented by at least one member and the more populous of them by two. Each important city should return at least one member and the more populous of them by two or more according to numbers of voters in them. Only non-Muslim population and voters should be taken into account for the purpose of these elections.

QUALIFICATIONS OF CANDIDATES.

- (1) Literacy and knowledge of English.
- (2) Age of 25 and above.
- (3) Entitled to vote.
- (4) Either sex.

A. P. SEN,
(Middle Temple), Lucknow.

MEMORANDUM

SUBMITTED BY

RAI KRISHNAJI, BENARES.

*To the Committee on Franchise appointed in connection
with Constitutional Reforms in India.*

1. In my opinion, the principles on which electorates should be constituted ought to be a broad-based franchise, due allowance being made for practical difficulties. The rules and qualifications should be clear and simple and, as far as possible, devoid of complications, so that they may be easily understandable by the people and minimum of difficulties may arise in preparing the electoral rolls and recording of votes. As far as possible, minor considerations should give way for the sake of uniformity in the province. The only exception that suggests itself to me is in the case of districts in the Kumaon division, the economic conditions of which are peculiar.

2. I am also of opinion that the cities of the province which have a population of over fifty thousand, should have a comparatively larger representation than the proportion of their voters as compared with the districts would justify, as they contain, on the whole, a better educated and more enlightened population than the rural areas do. For the success of the system of responsible Government, it is necessary that the Legislative Councils, which are constituted, should contain a strong leaven of members with broad political outlook and more or less familiar, by reason of their education and touch with the outside world, with the principles of representative Government. Such candidates will carry greater weight with the city electors than they are likely to do in the rural areas, where besides greater backwardness in education, though not necessarily in native intelligence, it may also be that for some time to come voters, particularly the large number of unsecured tenants, will not be able to exercise their free choice to the fullest extent owing to the influence of their landlords. For similar reasons, I also suggest an extra seat each for Allahabad and Lucknow, capitals respectively of Agra and Oudh.

3. I have been opposed to separate communal representation as well as excessive representation, but the principle was accepted by the Government at the time of the introduction of the Minto-Morley Reforms. Representations were made to the Government from time to time against this excessive and separate representation given to Mohamedans, which went unheeded on the ground, we were told, of pledges given to that community by Lords Minto and Morley; although the latter repudiated the suggestion of 'pledges'. Subsequently, owing to the working of certain political causes, the Indian National Congress reconciled itself to the situation and in order to bring about a united demand for political reforms, made a concession in

6. My proposals regarding the constitution of the United Provinces Legislative Council, are :—

General Electorates	...	84	
Muslims	...	<u>36</u>	
Europeans (if it be decided to give them separate representation)	...	3	
Landholders, Agra	...	1	
Do Oudh	...	1	
Allahabad University	...	1	
Benares Hindu University	...	1	
Upper India Chamber of Commerce	...	1	
United Provinces Chamber of Commerce	...	1	
Total, elected	...	129	or 126 (if there should be no separate European representation).
Nominated	...	26	or 29 (if no separate representation be given to Europeans).
Total strength, Provincial Council	...	<u>155</u>	<u>155</u>

The details of these will be found in an Annexure.

7. The qualifications of voters for the Provincial Council should be :—

- (1) Such as will qualify to vote for the election of Members of the Municipal Boards.

NOTE :—If necessary the franchise should be so broadened as to secure votes to at least ten per cent. of the urban population.

- (2) Such as will qualify to vote for the election of members of the District Board

NOTE :—For this I accept the franchise proposed by the Committee of the United Provinces Legislative Council, published in the Government Gazette of November 9, 1918, at page 547 of Part VIII, viz.—

- “(a) all landholders paying land revenue of Rs. 25 or upwards,
 (b) all tenants paying a rent of Rs. 50 or upwards,
 (c) all income-tax payers outside municipal limits, and
 (d) all persons assessed to any tax imposed by the local authority.

We find, however, that qualifications (a) and (b) are unsuitable for the Kumaun division, except for the tahsil of Kashi-pur. In the rest of the Kumaun division we recommend that all persons paying land revenue of whatever amount and all tenants in the Tarai and Bhabar estates paying over Rs. 50 rental should have a vote."

- (3) Owning or occupying a house outside the Municipal limits, the annual rental of which is Rs. 25 or upwards.

The qualifications for the Mohamedan voters, as also for Europeans if they should be given separate representation, should be identical; the voters in the Universities will be the Honorary Fellows, the members of the Senate and all registered Graduates; the special landholders constituency should consist of men paying Government revenue of Rs. 5,000 or more; and the qualifications for the Chambers of Commerce will be membership of the Chamber concerned. Such adult members of a joint Hindu family paying rent, revenue or taxes, as will be qualified to vote if the amount of such rent, revenue or taxes were to be divided among them in equal shares, should also be given the franchise in addition to the *Karta* of the family. No person should have more than one vote, except that voters who are in the general or a communal or landholders' electoral roll, shall have also the right of voting in the Universities and the Chamber of Commerce elections, if eligible. Saving this, persons qualified to vote in more than one electorate should be given the choice to enrol their names in any one of them.

8. I propose that the Legislative Assembly should consist of 128 Members, of whom 14 will be elected from this Province, as under:

**United Provinces Representation in the Legislative
Assembly of India.**

1. General :	Meerut Division	...	...	1
	Agra do.	...	...	1
	Allahabad do.	...	...	1
	Benares do.	...	...	1
	Lucknow do.	...	...	1
	Fyzabad do.	...	...	1
	Rohilkand & Kumaun	...	...	1
	Gorakhpur & Jhansi	...	...	1
				8
2. Moslem:	Meerut, Rohilkand and Kumaun	...	...	1
	Lucknow, Fyzabad, Gorakhpur	...	...	1
	Agra, Allahabad, Benares and Jhansi	...	...	1
				3
3. Landholders:	Agra	...	...	1
	Oudh	...	...	1
				2
4. Europeans	...	...	...	1
				1
	Total	...	...	14

The rest of the Assembly will be composed of 14 elected members each from Bengal, Madras and Bombay; 11 each from the Punjab, and Bihar and Orissa; 8 from the Central Provinces and Berars; 4 each from Burma and Assam; 1 each from Ajmere-Merwara and North Western Frontier Province; and 32 nominated Members, of whom not more than two-thirds should be officials. For the purposes of this election Delhi should be considered a part of the Punjab.

9. The qualifications for voters of the Legislative Assembly should be :—

Payment of Government revenue,	Rs. 100 or more annually.
Do. of rent of Agricultural land,	„ 200 „ „
Do. of Municipal taxes amounting to	„ 20 „ „
Do. of District Board taxes,	„ 20 „ „
Do. of Income-tax on any amount.	

Explanation.—(1) For the purposes of franchise, agricultural land, will include besides purely agricultural land, (a) fisheries, (b) pastures, (c) orchards, (d) plantations, and (e) forests; and voters will include such members of a Joint Hindu family paying rent, revenue or taxes as will be qualified to vote if the amount of such rent, revenue or taxes were to be divided among them in equal shares should also be given the franchise in addition to the *karta* of the family.

10. The following should be disqualified as voters;

Aliens,

Persons under 21 years of age,

Lunatics and persons of unsound mind,

Bankrupts and undischarged insolvents,

Any persons convicted of any offence for which he shall have been sentenced to imprisonment without the option of a fine for a term of not less than two years, unless he shall have received a grant of amnesty or a free pardon, or unless such imprisonment shall have expired at least five years before the date of the election.

Vide Section 53 (a) of the South Africa Act, 1909.

dangerous ?

A person who has been declared a disqualified proprietor under the Court of Wards Act.

11. The qualifications for candidates should be :

(a) are qualified to be registered as a voter,

(b) are ordinarily the resident of the Province or have resided in the Province for not less than 12 consecutive months,

(c) can read and write English ;

Provided that (1) members of any caste or creed, to whom separate electorate has been assigned shall not be qualified to stand for, or be returned by, election from the general electorates ;

and (2) any person who holds any office of profit under the Crown, the Government of India, the Government of Provinces and under local bodies cannot stand for election or be elected a Member of Legislative Council or Assembly ;

Explanation.—The following persons shall not be deemed to hold an office of profit for the purposes of franchise.

(a) Ministers,

(b) A person in receipt of a pension from the Government.

Provided.—also a member would be deemed to have vacated his seat if

(i) he becomes disqualified,

(ii) he fails to attend two consecutive Sessions of the Council or Assembly or the Council of State.

Non-official members nominated by Government should also fulfil these qualifications.

12. The Council of State, will, as proposed, consist of fifty members. But, of these, 25 and not only 21, should be elected. Of these, three should be returned by each of the Provinces of Bengal, Bombay, Madras, the United Provinces, and Bihar and Orissa; two by the Punjab, the Central Provinces; and one each by Burma, and Assam; and the remaining six by the supplementary seats as contemplated by section 277 of the Report on Indian Constitutional Reforms. They should be elected by the members of the Legislative Council of the Provinces concerned, together with the elected representatives of that province in the Legislative Assembly. As these will be elected by a select body, presumably well-educated and able to understand the requirements of the country, no special qualifications need be fixed for them in my opinion, while of course, they should be disqualified for any of the reasons mentioned in the case of candidates for other Legislative bodies.

ANNEXURE.

THE UNITED PROVINCES PROVINCIAL COUNCIL

1. GENERAL ELECTORATE.

1 Each from each District	48
1 Additional Member, when voters exceed 30,000 and 2 when they exceed 60,000 (Meerut, 1; Bulandshahr, 2; Aligarh, 1; Agra, 1; Sitapur, 1; Hardoi, 1; Bara Banki 1;)	8

Towns.

(From 50,000 to 1,00,000 population, 1 seat; for each additional 1 lakh of population or part of 1 lakh, 1 seat).

Allahabad	2	1
Lucknow	3	1
Benares	3	
Cawnpore	2	
Agra	2	
Bareilly	2	
Meerut	2	
Moradabad	1	
Shahjahanpur	1	
Jhansi	1	
Koil	1	
Muttra	1	
Saharanpur	1	
Farrukhabad	1	
Gorakhpur	1	
Fyzabad	1	
Mirzapur	1	

28

Total for General Electorate	84
Zamindars (Agra)	1
Do. (Oudh)	1
Allahabad University	1
Benares Hindu University	1
Europeans	3
Upper India Chamber of Commerce	1
United Provinces Chamber of Commerce	1

98

(8)

2. MUSLIM ELECTORATE.

Cities (Population over 60,000)	...	...	10
Meerut Division (Dehra Dun and Saharanpur = 1)	...	...	4
Agra (Aligarh alone separate)	...	...	2
Rohilkhand Shahjahanpur and Pilibhit = 1	...	...	5
Allahabad (Farrukhabad and Etawah and Cawnpore = 1)	...	...	3
Jhansi	...	...	1
Benares	...	...	1
Gorakhpur (Gorakhpur and Azamgarh = 1)	...	...	2
Lucknow (Unao and Rai Bareilly = 1)	...	...	1
(Kheri and Hardoi = 1)	...	...	4
Fyzabad (Fyzabad and Sultanpur and Partabgarh = 1)	...	...	4
		TOTAL	36

Memorandum for the consideration of the Franchise Committee.

THE UNITED PROVINCES LEGISLATIVE COUNCIL, COMPOSITION,
CONSTITUENCIES AND FRANCHISE.

I.—COMPOSITION OF THE COUNCIL.

(1) The United Provinces Legislative Council should be constituted as follows:—

A.—Elected.

Constituencies.	No. of members.
(a) To be elected by the General Non-Muslim electorate:—	
(1) By the electors of Gorakhpur and Basti: two by each district ...	4
(2) By the electors of the remaining forty-six districts: one by each district ...	46
(3) By the electors of Lucknow, Benares, Bareilly, Meerut, Allahabad, Agra and Cawnpore: one by each city ...	7
(b) To be elected by general Muslim electorate ...	24
(c) To be elected by special electorates:—	
(1) By the British Indian Association ...	2
(2) By the University of Allahabad ...	2
(3) By the Upper India Chamber of Commerce ...	2
(4) By the United Provinces Chamber of Commerce ...	2
(5) By the University of Benares ...	1
B.—Nominated and <i>ex-officio</i> ...	20
Total ...	110

(2) *Strength of the Council.*—According to the constitution outlined above the proposed Council will consist of 110 members. The strength of the existing Council is 50 and under paragraph 225 of the report on constitutional reforms (hereinafter referred to as the report) an enlarged Legislative Council with substantial elected majority is to be established in each Province.

I would have been inclined, for reasons which I am stating hereafter in paragraph (6), page 7 of this note, to allot to the constituencies which I have nominated general electorates at least double the number of member specified against each. But paragraph 273 of the report recommends: 'A total strength of about 100 members for the Indian Legislative Assembly'. From this I suspect that the authorities would not accept suggestions for raising the strength of the local Council to about 200, which would be the case if the members under class A were doubled. The Congress League Scheme provided for a minimum of 125, and the United Provinces Legislative Council resolved in August last 'that the proposed Legislative Council should consist of not less than 100 members.' Bearing all these facts in mind I have allotted only a minimum number of representatives to the constituencies mentioned above, and thus I have arrived at a figure which happens to be almost a mean between 100 and 125.

(3) *Number of Nominated Members.*—According to the Congress League Scheme four-fifths of the members of the Provincial Legislative Council were to be elected and one-fifth nominated. Paragraph 162 of the report accepts the principle of this proposal which was also confirmed by the local Council. In the above table I have set apart 20 seats for nomination. Exact

proportion would require 22, but the difference is not material. Under the new order of things the Government will not be able to carry any measure merely by means of official block or the weight of numbers. With this point in view paragraph 233 of the report requires that 'the official element appointed by the Governor should be no larger than is considered necessary for the transaction of business,' and that 'there should be (only) so many other official members in addition to the members of the Executive Council who should be *ex-officio* members of the Council as will provide the Government with first hand knowledge of the matters likely to be discussed in the Council and Committee.' I think that for these objects the Government will not require the presence of more than 13 officials, viz. :—

- 1-4. The four Secretaries to Government.
5. Director of Public Instruction.
6. Director of Industries.
7. Director of Agriculture.
8. Inspector-General of Police.
9. Inspector-General of Hospitals.
10. Inspector-General of Jails.
11. The Legal Remembrancer.
12. The Chief Engineer.
13. The Chief Conservator of Forests.

2 members of Council
2 ministers by virtue of

Two seats will be filled by the two members of the Executive Council. Still the Government will have a reserve of five, two of these can be utilized for nominating representatives on behalf of the Indian Christian and Anglo-Indian Communities. This will still leave three which the Governor may dispose of at his pleasure. Ordinarily out of these twenty members only 15 should be officials.

II.—ELECTORATES.

(4) *The District should be the unit of representation.*—In the above constitution I have assigned two seats to Gorakhpur and Basti and one to each of the remaining 46 districts. I am conscious of the fact that there is a wide diversity in numbers as well as in area between the various districts of the United Provinces. Lucknow has an area of 967 square miles against 5,629 of Garhwal while the population of Dehradun is 205,075 against 3,201,180 of Gorakhpur. Still I am positively of the opinion that each district should be represented at least by one member. 'The principal unit of administration (in British India) is everywhere the District' (Imperial Gazetteer IV, page 48), and 'the fabric of our Indian administration may roughly be said to have the district administration for its base' (Gokhale :—Speech in Imperial Council dated the 27th February 1912). In the course of their remarks a recent district organization the signatories of the report observe in paragraph 123 that 'it is so close-knit, so well-established and so thoroughly understood by the people (that) it simultaneously discharges easily and efficiently an immense number of other duties.' The District is a distinct entity in Indian polity. Physical, historical, social, economic and administrative circumstances have brought about such cohesion and fusion among the residents of a district that they form a compact group by themselves, and there is such genuine communion of interest between the constituents of a district that the district is decidedly the most congenial unit for training in responsibility. It is not possible to parcel out this vast country into equal electoral units. In fact there are wide diversities between a number of constituencies even in the most advanced countries including England. It may be as well to say that it is not possible under the present circumstances to devise any other standard—the village would be too small while the division would be too large and unwieldy. Having accepted the district as a unit for constitutional purposes also, we must allot at least one member to each district, irrespective of its size or numbers. This practice obtains in almost all the countries and even the smallest countries, provinces

or states are allowed to return one or more representatives to the legislature of the state of which they form component parts. In our own country though Bombay has not even half the population of United Provinces both return an equal number of members to the Imperial Council from their provincial council.

So I submit that each district should be allowed to elect at least one member.

(5) *Two members for Gorakhpur and Basti.*—I have given two members to Gorakhpur and two to Basti, as Gorakhpur and Basti are the only districts in the provinces which have a population of above a million and a half, and which do not comprise any city. Gorakhpur has an area of 4,520 square miles and a population of more than three millions. Basti has an area of about 2,800 square miles, and a population of 1,830,421 which bears a ratio of 4 per cent. to the provincial total. Excluding Gorakhpur and those districts in which the 7 cities mentioned in the table are comprised, Basti has the largest number of literates of the age of 20 and above. I suppose that one single constituency for Gorakhpur or Basti will be quite unwieldy, and it will be almost impossible for single representative to keep himself in touch with the huge number of his constituents in his district. Hence this suggestion for two members for each.

(6) *One member for each of the districts of Almora, Garhwal and Naini Tal or three members for Kumaun—the essential minimum.*—On this subject of electorates I consider it necessary to lay stress on my suggestion for the allotment of three seats to the districts of Almora, Garhwal and Naini Tal, which constitute the Kumaun Division. I am not thoroughly acquainted with the districts down country and it may not be impossible to adjust the constituencies there in a manner different from that proposed by me. But so far as Kumaun is concerned I beg to give expression to my reasoned conviction that three members would be the very minimum for Kumaun. Kumaun forms one of the nine divisions of these provinces while in extent it covers about a sixth of the provincial area. On this basis it would be entitled to many more members than three. But I do not urge any claims on this ground. My minimum number is determined by the scope and purpose of the proposed constitutional reforms. The proposed reforms are valued not so much for the powers that are to be transferred forthwith from the bureaucracy to the popular assemblies as for the hopes that they hold forth for the future by serving as means for the training of the Indian people in responsibility. They are designed to do the work of calling into existence an electorate capable of bearing the weight of responsible Government (para. 83 of the report).

This object is to be achieved by bringing the primary voter into direct connection with his representative in the Council so that in course of time the primary voter may realize the value of his vote and the effect it can have on the proceedings of the Legislative Council. The same idea has been lucidly explained by Mr. Lionel Curtis in these words:—"With what objects in view are electorates to be brought into existence? Our answer is clear and precise The object in view should be to fit the voters placed on the list for the exercise of wider political responsibility, for which purpose we contend that some such responsibility must be given them at the outset, etc." (page 114 letters to the people of India). For the attainment of this end and the political training of the people at large the relations between the primary voter and his representative should be incessant, direct and uninterrupted. Having given this outline of the scheme and its object I would just refer to the nature of the country. Kumaun may be roughly divided into the mountainous region and the submontane tracts. The districts of Almora and Garhwal with the exception of the small tract of Kotdwara are hilly portions of the Himalayas while Naini Tal comprises 16 hill-pattis of an area of about 400 miles and population of 60,000, the Bhabar or sandy submontane belt of 1,279 square miles and about a lac of individuals and the Tarai with an area of about a 1,000 miles and a population of 175,000.

The Districts of Garhwal and Almora have an area of 5,372 and 5,629 square miles respectively (District Gazetteer). Even these areas are not quite correct as they are the areas of the projections of these districts on a horizontal plane. The real area must be more than this. Over this vast territory are scattered the two small towns and 5,036 villages of Almora District and 3 notified

Areas and 3,321 villages of Garhwal. The total number of inhabited towns and villages in Meerut and Agra Divisions comes to about 8,000 in each, while it is about 10,000 in Kumaun Division which is equivalent to the figure for Lucknow Division. I have no hesitation in saying that an electorate will be altogether unmanageable if it is to cover a larger area than either of these districts. Along with the stupendous extent of these districts we have to take note of the nature of the mountainous country and the inseparable difficulties of communications. I would take the liberty of making an apt quotation from the report. 'The physical circumstances of electorates thinly scattered over wide area within different communications will render the task of educating them particularly difficult especially for men who will have to undertake a work of which they themselves have little experience (para. 263)'. This description exactly fits in with the conditions of Almora and Garhwal Districts. These physical disadvantages can be overcome only through the instrumentality of small and easily manageable electorates while they will be multiplied many-fold times if the constituencies are made unduly large at the outset. It will be simply impossible for the primary voter and his representative in the Council to be in touch with each other or for the representative to study the needs of the various localities and to keep himself informed about the state of affairs in various parts of his constituency if he is made responsible for more than one district. In fact it is only a sense of modesty and the desire to avoid the charge of partiality which prevents me from proposing two members for each of the districts of Garhwal and Almora. I may also state here that though Garhwal and Almora along with the 16 hill pattis of Naini Tal are under the same Act of administrative and political conditions, the district of Garhwal differs broadly from the rest socially. The existing boundaries of the district of Garhwal were fixed as early as in 1838 and Mr. Pauw remarks: that the boundary between Almora and Garhwal is very irregular as the villages inhabited by Garhwalis were assigned to Garhwal and those by Kumaunese to Almora—to such an extent are the two nationalities distinct (Pauw's report).

* * Though there has been a steady development of national spirit among the educated still the masses in Garhwal and Almora are separate from each other, and so far as social relations such as intermarriage and interdining are concerned the two districts are quite exclusive. Few in the north of Garhwal know anybody in Kumaun and vice versa about Almora. So, a resident of Almora cannot do justice to the requirements of Garhwal and the same thing can be said of a representative belonging to Garhwal, so it is necessary to have two district electorates. Naini Tal has, in addition, many diverse interests of its own. It has three systems of land tenure. So far as 16 hill pattis are concerned they are similarly conditioned as Almora. The Tahsil of Kashipur has Zamindari tenure similar to that of other plains districts. The Tarai and Bhabar Kham Estates include a few settled villages, which have a tenure similar to that of hills or plains accordingly as the villages are situated in Bhabar or Tarai, but by far the largest number of villages are under direct Government (Kham) management. These tracts are notorious for their unhealthy climate and they need wholesale overhauling. There are two Municipalities and a number (six) of notified and Town areas in Naini Tal District. Besides Naini Tal is the summer capital of these Provinces and the varied interests stated above can be represented only by a resident of Naini Tal district.

It may also be noticed here that apart from the general questions such as those relating to public services, commissions in the army, arms act, stamps, income-tax, education, excise, etc., in which Kumaun is interested as much as any other part of India, there are a number of local problems of first magnitude which hardly affect anybody outside Kumaun. The land tenure of Kumaun hills is quite distinct from that of the plains. The peasant proprietary system prevails throughout the hilly tracts which is akin to the Ryatwari or Bhayachari tenure but is distinguishable even from these. Then there are other questions relating to mill rents Banap land, Coolie Utar, Forests etc., which affect the people of Kumaun alone. In order that these long standing and ever-expanding grievances may be fully expressed and

removed Kumaun should have adequate representation. To that extent we want members for protecting our special interests. As the elected members belonging to the other parts of the province will not be able to speak on these subjects with any authority, Kumaun must be allowed at least three members for representing her special needs adequately. In this connection I would refer to the speech which Babu Brijnandan Prasad a non Kumauni delivered in the Local Council, on 19th July 1915 when he observed that Kumaun Division is not densely populated, but in area, number of villages and importance, it does not fall much behind other divisions. Ordinarily the circumstances and conditions of one division are not so essentially different from those of another that it is absolutely necessary that each should have its own representative to represent its matters, but the Kumaun Division is so different in its manners, mode of life and system of administration that it stands in an unique position, etc.

These three districts of Almora, Garhwal and Naini Tal form a separate division as owing to the extent of the territory and importance, variety and speciality of the local questions they are considered quite enough for the exclusive charge of one Commissioner.

Even on the consideration of members alone Kumaun will not be ever represented by three members. Out of a population of 13 lakhs there are only about 79,000 Muhammadans in Kumaun which gives a proportion of about 1.2 % of the Provincial Muhammadan population.

Thus the Muhammadan residents of Kumaun will have no appreciable share in the election of Muhammadan representatives, nor will the division have any substantial voice in the special electorates; thus it can be safely promised that out of 90 elected members, Kumaun will be represented only by three in the Provincial Council. While the population of United Provinces has been almost stationary during the last 30 years, the numbers returned at the census of 1891 hardly varying from those of 1911. The census of Kumaun division has shown an increase of 10 % every decade. So taking into consideration the variations since 1911, I am justified in saying, that the ratio of the people of Kumaun to that of the province will in no way fall short of 3 to 90. I think my proposal allotting one member to each district and three members to Kumaun Division does not need to be elaborated further. I shall refer to the question of franchise advanced state of Literacy of the division and some other local circumstances which are favourable to the introduction of responsible Government in Kumaun, hereafter.

(7) *Seven City Electorates.*—The seven cities named in the table represent the wealth and culture of these provinces. Each has a population of more than a lakh, and they have the privilege of returning members to the local Council under the existing regulations. As the Councils are enlarged they are entitled to one member each.

(8) *Muhammadan Representation.*—I have fixed the number of Muhammadan seats on the basis of the Congress League compromise. I would leave the distribution of these seats to the Muhammadan community as in this respect the views of the leaders of the Musalman community should naturally carry the greatest weight.

(9) *Special Electorates.*—The Special Electorates do not need any elaborate justification. Excepting the United Provinces Chamber of Commerce and the University of Benares others have their representatives in the Council at present also. When the regulations under the Indian Councils Act of 1909 were framed the two bodies named above were not in existence. The recommendations of the Industries Commission lead us to expect a rapid development in Indian industries and as this development proceeds the United Provinces Chamber of Commerce will gain in importance, organization and strength. The two Universities represent highest seats of learning in the provinces. The jurisdiction of the University of Benares is confined to the city of Benares only, so for the present I would be satisfied with one member only.

The zamindars of Agra do not form a distinct class so they should not be grouped under a special electorate. The payment of a certain minimum amount of land revenue must form one of the qualifications for the franchise for the general electorates so all zamindars will come under this head. The case of Talukdars of Oudh is quite different. They form a unique body and they possess distinct privileges and statutory status. The Talukdars should, however, have no vote in the general electorate.

The total number of Europeans according to the census of 1911 comes to about 32,000 only. This number should be inclusive of Government officials. The two members returnable by the United Chamber of Commerce will represent this community. It does not seem necessary or desirable to form separate electorates for any other community. The Anglo-Indians form a small number—about 8,000 only, and they have no special interest of their own. The Government may, however, nominate representatives on behalf of Anglo-Indians and Indian Christians. There are no other communities or interests in these provinces, and the constitution proposed in this note will secure the representation of all classes and interests.

III.—FRANCHISE.

(10) *Different nature of Franchise for Kumaun.*—Paragraph 226 of the report as embodied in the terms of reference to the Committee requires the Franchise to be framed on as broad a basis as circumstances in the province permit. Subject to the predominant condition of the work ability of the electorates the franchise should be so framed as to qualify the largest number of residents of the constituency. On account of the peculiar conditions prevailing in Kumaun to some of which I have referred above and which I will briefly state in this connection it will be necessary to frame a different nature of franchise for Kumaun in some respects. This state of dissimilar conditions prevailing in the same province has been duly noticed in the report. The signatories observe that 'It is possible that owing to unequal distribution of population and wealth it may be necessary to differentiate the qualifications for a vote not merely between provinces, but between different parts of the same province.'

Barring the tahsil of Kashipur which had a population of 61,484 in 1901, the land tenure in Kumaun is quite distinct from that prevailing in the rest of the province.

In Almora, Garhwal and 16 hill pattis of Naini Tal the system of peasant proprietorship is prevalent. 'There is very little distinction between cultivators and proprietors. The ordinary condition of things in a village is that the *hissadars* or proprietors are each in cultivating possession of their own holdings, which are not very much in excess of their own requirements and ability to till successfully. The average holding is 2 or 2½ acres and measured area 3·34 bisis per family' (Goudges Settlement report 1903 Almora and Naini Tal hill pattis). Speaking of Khaikars practically the only class of tenants in the hills Sir H. Ramsay observes: 'In fact these tenants are in all respects equal to proprietors with the exception that they cannot sell holdings and they pay a small sum in addition to the quota of revenue due from the land recorded in their names' (Beckett's Settlement report).

Speaking of Garhwal Mr. Pauw remarks: 'the people consisting mostly of peasants, proprietors or tenants with a vested interest in land are settled in village communities, etc. (Pauw's report (para. 33) and again the whole population consists of peasant proprietors or cultivators with occupancy rights (Ibid page 34).

In Almora and Garhwal 909 and 918 per mile live by agriculture and in Naini Tal 705. While according to the provincial average there are only 8·15 landlords per hundred of population as against 23 occupancy and 40 non-occupancy tenants and labourers in the Kumaun hills there are at least 65 per cent. *hissadars* and 20 per cent. Khaikars.

In Tarai and Bhabar we have a large number of tenants directly under Government without any intervening zamindars, and in Kashipur we have the zamindari system.

The percentage of landholders to population in the division is 47, while in Rohilkhand and Lucknow Divisions the corresponding figure is 4, in Allahabad 5 and in Fyzabad and Benares 6. In arriving at this figure for Kumaun the large number of tenants in Tarai and Bhabar and the zamindars and tenants in Kashipur pargana have been taken into account.

In the hills revenue is assessed on an altogether different basis from the plains and the average quota of a *hissadar* comes to about Rs. 4 per annum, and of a Khaikar from Rs. 5 to Rs. 6. Thus it is evident that the qualifications for agriculturists of Kumaun should be different from those of the plains.

(11) *Qualifications for Voters.*—Following classes of persons should be qualified for purposes of electing members for the Provincial Council :—

(1) Non-Official members of District Boards, Municipalities, Notified Areas, and Town Areas.

(2) All persons paying income tax.

(3) Persons living in the urban areas and assessed to local taxes on an income of Rs. 250 per annum or paying to the municipalities or notified areas minimum tax of Rs. 5 per year or occupying premises of the annual letting value of Rs. 50 per year.

(4) Persons paying minimum amounts of revenue or rent as stated below :—

	Revenue.	Rent as occupancy tenant.	Rent as nonoccupancy tenant.
1	2	3	4
	Rs. a. p.	Rs. a. p.	Rs. a. p.
In Kumaun Division	6 0 0	8 0 0	20 0 0
In rest of the province	20 0 0	40 0 0	50 0 0

(5) Persons who have passed the Matriculation Examination of any University, the School Leaving Certificate Examination or European Boys High School Examination or any public examination in Sanskrit, Persian or Arabic.

No person shall be qualified to vote who is below 21 years of age.

Above-mentioned qualifications are wide enough to comprise all persons who can make a use of the vote. They will give very large electorates, and, considering the proportion of voters to total population in Japan, they will yield quite a decent proportion.

In Almora and Garhwal the number of *hissadars* is about 90,000 and 60,000 respectively.

Mr. Pauw in his settlement report for Garhwal puts the numbers of *hissadars* at about 35,000, but I am convinced that my figure correctly represents the existing state of things. The names of large numbers of *hissadars* are not entered in the village papers. Besides through the sub-division of holdings and the addition of *nayabad* grants the number of *hissadars* has considerably increased since the settlement took place more than 20 years ago. The total population of Garhwal comes to about 500,000 and each family on the average consists of 5 individuals. There are very few Sirtans.

In Naini Tal there are about 20,000 landholders and a large number (about 60,000) tenants. Of these about half the *hissadars* and a third of the tenants should be qualified. There are also about 900 income-tax payers in the Naini Tal District. I believe, that the numbers satisfying the tests stated above will be quite enough for forming the electorates in each District. I

would have liked to give the votes to every *hissadar* and to all Khaikars or occupancy tenants paying Rs. 5 and non-occupancy tenants paying Rs. 10 as rent, but I have refrained from putting forth this suggestion lest the electorate should become unmanageable.

(12) *Some educational qualifications desirable.*—I am strongly of opinion that some educational qualifications should by themselves entitle the holder to a vote. In paragraph 226 of the report its august authors conceive the likelihood of some educational qualifications being accepted as qualification for a vote. In most of the Western countries adult suffrage is the rule and primary education is compulsory so no educational qualification is specifically mentioned in connection with Franchise. In British Isles only property qualifications are prescribed but there, too, primary education is compulsory and Universities return their own representatives. In our country homage has always been paid to learning, and knowledge has been the subject of respect and reverence against wealth. So, it is necessary to accept some degree of education as one of the qualifications for the vote. Our Provincial Council was also in favour of educational qualifications.

(13) *No qualifications should be prescribed for candidates.*—I also suggest that no qualifications should be prescribed for candidates apart from the statutory disqualifications on the ground of minority, etc. I have no objection to 25 years being fixed as the minimum age. The electorate should be perfectly at liberty to choose any resident British subject of the United Provinces. A Rule of this nature will be in accordance with the practice obtaining in England and other advanced countries. If the possession of property or payment of income-tax, etc., is prescribed as a condition which will determine the eligibility of a person then we may have to exclude persons and patriots like Mr. Gokhale, Mr. Paranjape, Mahatma Munshi Ram, Pandit Hirday Nath Kunzru, etc. In this connection, I would like to submit that some of the provisions of the existing regulations which disqualify a person for purposes of election to the Council should be omitted, e. g., dismissal from Government service. A person may be dismissed from the Government service for overstaying his period of leave, for in-subordination, for negligence, and sometimes even for patriotism. There is no reason why a person who has been dismissed from Government service should also be disqualified for other useful services. Nor should imprisonment for any period debar a person unless the offence for which the man was convicted involved some moral turpitude. Same can be said about a legal practitioner debarred from practice. It should not lie within the power of the Governor-General to disqualify any person.

(14) *Single vote.*—A person may be possessed of a number of qualifications but he should have only one vote. Plural voting should not be permitted.

(15) *Polling Centres.*—There should be as many polling centres as it is possible to arrange. Excepting the 7 city constituencies all others will be composite rural-urban constituencies extending over extensive areas and comprising large numbers. People have yet to learn the value of the vote. So far as possible a polling centre should not be at a distance of more than 10 miles from the voters residence in the plains and 13 miles in the hills. All Gazetted officers, Headmasters of schools, Chairmen of Boards, Deputy Inspectors of Schools, and respectable non-officials should be employed as returning officers at various centres. Where sufficient numbers cannot be made available in the district assistance of neighbouring districts should be sought.

IV.—FITNESS OF KUMAUN FOR REPRESENTATIVE INSTITUTIONS.

(16) Before I conclude I beg leave to say a few words as to the fitness of Kumaun for the proposed constitutional reforms. Kumaun is at present one of the scheduled districts. Under paragraph (4) of the terms of reference the Committee has been asked to have regard for the decision of the Government of India as to the areas which are to be the subject of special treatment under paragraph 199. I notice that the Committee has not been directed to decide this question. But it will not be out of place to touch on the subject as it is closely connected with the question of composition of the Council, Constituencies and Franchise. In this connection I beg leave to refer to the speech

delivered by the Hon'ble Pt. Tara Datt Gairola when he moved for the application of the reforms to Kumaun Division in the Legislative Council on the 13th August 1918 and to the articles that were published in the Leader News Paper of these Provinces in its issues of 10th and 13th March last. I may state here that the above resolution of the Hon'ble Mr. Gairola was unanimously passed by the Council and similar resolutions were also passed at the special sitting of the Provincial Conference that was held at Lucknow to discuss the Reform Scheme and also at the ordinary annual session of the United Provinces Provincial Conference. Numerous meetings praying for the extension of the reforms to Kumaun were also held at various places in this Division. Kumaun will soon cease to be a scheduled district as the Government had decided ten years ago to affiliate it with the High Court of Allahabad in the Civil side also. It has always been so in the Criminal side. It was formerly subordinate to the Sadr Diwani Nizamat Adalats. It was scheduled later on in 1861 as there was very little litigation and crime in the districts to engage full-time Judges, and as Railway connection was not feasible at the time and there were difficulties of communication the officers at the Provincial headquarters could not always keep themselves in touch with these parts. The districts were never regarded as backward and *were not scheduled on that account.*

These parts are quite fit for the introduction of the proposed constitutional reforms. Referring to the difficulties which stand in the way of the early fruition of complete responsible Government, the report contains the following :—

Two dominating conditions will be quickly apparent, viz., one is that immense masses of people are poor, ignorant, helpless and the other is there runs through Indian society a series of cleavages of religion, race and caste which constantly threaten its solidarity (page 131).

Fortunately Kumaun is the least handicapped in these respects. While the proportion of literates per mille was 34 for the United Provinces in 1901, it was 59 for Naini Tal, 64 for Almora and 72 for Garhwal. Kumaun Division has been holding the first place in literacy in the provinces. Taking the figures for males of the ages of 20 and above which alone should count for purposes of electorates while there were 82 literate males per mille in the province the figures per mille for Almora, Garhwal and Naini Tal were 164, 197 and 113, respectively. Out of every hundred males of the above ages in this division 20 were literate. All other divisions were far behind. The total number of literate males of 20 and above for Rohilkhand Division which has many times more souls than Kumaun was 64,664 while it was 54,683 for Kumaun. Similarly Kumaun was first in literacy in English also: while the provincial average per 10,000 was 67 it was more than a hundred for Kumaun for males of 20 and above, while for Naini Tal and Almora corresponding figures were 125 and 151. English education had not made equal headway in Garhwal. Referring to Himalaya west, the Census Commissioner observes that incentive for education is very large, etc.

I have already referred to peasant proprietary system of tenure. The total number of *hissedars* in Kumaun is almost equal to the aggregate of landholders in Rohilkhand, Allahabad and Lucknow Divisions. Ownership of a holding with a homestead invests the peasantry with a grit and the people of Kumaun are not lacking in those qualities which result from the possession of independant means of livelihood. At one place the report observes that in India the curve of wealth takes a steep descent.

It is not so in Kumaun--thanks to even distribution of wealth. The wealth index in a graph would take a horizontal course. Mr. Traill observed in 1830 that the people of Kumaun were most prosperous in the whole of Company's Dominions; the same statement was repeated with greater emphasis by Sir H. Ramsay about 50 years later. There are no Millioncers in Kumaun but at the same time there are no hungry sheep nor dumb driven cattle. Almost every person has a holding to live upon, stonebuilt, slateroofed house for dwelling purposes and metal utensils for use. In a way Kumaun is free from many depressing circumstances and the Kumauni does a lot of public services. Practically speaking there is no police

force in the hills. The village headmen and the Thokdars maintain peace and order. They also discharge a number of other duties. The villagers also maintain the roads and do a number of other administrative tasks. This tract of country is most peaceful and crime is almost non-existent here. Village communities have got much of the republican spirit even to-day. Their pan-chayats are still in existence.

There are no cleavages of religion or race. The vexed Hindu-Muhammadian question has no place in Kumaun. The total Muhammadian population for the Division comes to about 5 per cent. while in Almora and Garhwal it does not come to 1 per cent. even. Of these, too, large numbers resort to the hills only for purposes of trade, etc.

Harmony, homogeneity and uniformity are the ordinary features of life in each district. All persons whether rich or poor, belong to the same strata. There are no distinct classes as compared with masses or urban as distinguished from rural folk. Every individual, whatever his position or profession, is connected by birth or marriage with the residents of the village and the tillers of the soil, and his interests are identical with theirs. Paragraph 140 of the Report says that prospects of advance greatly depend upon how far the educated Indian is in sympathy with, and capable of, fairly representing the illiterate masses. In Kumaun the educated Indian and his illiterate co-villagers form one group.

Residents of Kumaun Division have held very responsible positions in British India as well as the Native States and they are holding such offices even to-day. No Kumauni has ever proved unequal to the burden imposed on him.

The Kumaunese are possessed of enterprise and they do not shrink from going to distant lands for earning their livelihood. They have given unmistakable proofs of imperial patriotism at the time of the mutiny, and recently in this war, which is being fought for justice and liberty. On the population standard Kumaun has contributed largest proportion of men for military purposes. Thousands have joined the Army since the commencement of this war, and, when peace is established and all these men return to their homes, one in every ten adult males in the hills of Kumaun Division will be he who has seen the struggle on the battlefield and, who in response to eloquent appeals, had joined the Army for protecting the sacred principles of liberty and self-determination. As the signatories of the report say "the minds of India's peasant soldiery who have returned from abroad will never again act quite in the old way and they will relate their experiences to many who stayed at home". I also beg leave to refer to the quotation made by the Hon'ble Pandit Tara Datt Gairola from a letter received from a soldier from the front which ran thus: "We have been fighting with the heroism which has won the admiration of the world. But permit me to give out my mind to you freely. When I think of the slavery of my countrymen who are even forced by petty officials to clear their dishes I feel ashamed of myself and cry that all this praise is mere cant!"

Even if we had been backward we would not have been kept out of the Councils for the policy of specially protecting the interests of backward classes has been repeatedly declared and acted upon. But what meaning can this comparison carry? We are all entering the first entrance door that will gradually lead to the citadel of responsibility for the first time. Whatever may be the differences in other respects so far as this aspect of the problem is concerned we are all equally unused to it and will be initiated into this doctrine of responsibility for the first time. Then, how is it considered possible to make distinctions between different parts of this province in such matters as education, sanitation, medical relief, excise, etc.? Will there be different rules as to courses of study, examinations, etc.? And after all, is an executive councillor, however, efficient he may be, preferable to a minister? In fact the process of curtailing the rights of the people and imposing additional liabilities on them has been steadily acted upon for many years in Kumaun. The bureaucratic system has its inherent disadvantages and Kumaun administration exhibits all the traits of this system. The present system of administration is quite out of

date and, whatever, else it may achieve, it cannot satisfy the cravings of the soul. Then, if any community or area is excluded now, how is it to come into line with the rest hereafter? The disparity will ever grow wider and the twain will never meet. When the scheme expressly reserves the fundamental questions of law and justice, and order and peace, to the executive Government there is absolutely no risk in giving the opportunity for political education through the exercise of modicum of responsibility to all and sundry. For as the report admits 'there can be no general improvement except through the awakening of public spirit which we believe that our reforms will stimulate' (Para. 125) and also 'that character of political institutions reacts on the people'. The report further says, 'that the fact that the exercise of responsibility calls forth the capacity for it, is the best ground for confidence in the working of self-government in India.'

The statement in the report that 'free constitutions have the faculty of re-acting on the adverse circumstances on which the start is made,' and 'that political capacity can come only through the exercise of political responsibility,' is indubitable and incontrovertible. Kumaun is entitled to take its stand on the momentous declaration of 20th of August 1917, and Kumaun claims an equal opportunity with the rest of the provinces. With the rest of India Kumaun profoundly believes 'that the sheltered existence which the British people and British Government have given her more than a century cannot be prolonged without damage to her national interests; that there is a richer gift for her people than any that has yet been bestowed on them', and that granted an opportunity for self-development she will prove equal to the responsibilities that may be imposed on her people.

NAINI TAL,
Dated the 4th November 1918,

GOBIND BALLABH PANT,
Vakil, Honorary Secretary,
Kumaun Association
and
Municipal Commissioner,
Kashipur (District Naini Tal).

N. B.—I have not ventured to express any opinion regarding the Indian Legislative Assembly and the Council of State, as I do not consider myself qualified to deal with these all-India Constitutions.

To

THE CHIEF SECRETARY

TO THE GOVERNMENT OF THE UNITED PROVINCES OF

AGRA & OUDH,

Lucknow.

SIR,

I have the honour to present a brief memorandum of points which I desire to emphasise in my evidence before the Reforms Committees.

Through your kind indulgence, for which I thank you, I have had the advantage of reading and considering the Scheme prepared by the Government of the United Provinces both as regards the Constitution of the Provincial Legislature and the Division of subjects.

I.—COMPOSITION OF COUNCIL.

In my opinion the position of the United Provinces as regards population, education and public revenues is such that it should have a Council of not less than hundred and twenty five (125) members. This is the number fixed for major provinces in the Congress-League Scheme, and I find no justification for making a departure therefrom. But if the proposed strength of the Council is hundred (100) members the Mohamedans should have thirty per cent of the *elected* seats as proposed by the Congress-League Scheme. This formula, I am glad to note, is accepted by the U. P. Government. I note however that in working out the details as given in Table I, the Mohamedans are allotted twenty one (21) seats out of seventy nine (79) to be filled up by election. Thus the proportion allotted to them falls short by three (3) seats. Apparently the nine (9) seats allotted to the special interests have been excluded in fixing the number of seats to which the Mohamedans be entitled in virtue of the Congress-League Scheme. By the scheme the Mohamedans are entitled to thirty per cent of the total number of selected seats and not of seats allotted to general constituencies only. The number of Mohamedans should therefore be increased by three (3).

II.—FRANCHISE.

I generally agree with the proposals as regards the franchise put forward in the scheme prepared by the United Provinces Government. I think however that some standard of literary qualification should be recognised for entitling a person to a vote. The danger of a constituency becoming too large to be workable can be very much minimised by enhancing the property qualification to double figures. I think that it would be pertinent to observe that in as much as we are not considering the question of franchise in relation to a complete self Government but only in relation to a step towards it, the broadening of franchise should be commensurate with that step. Tenants, landlords, and income tax assesses who are proposed to be given votes in the election for the Council might well first be given votes in the election of local bodies,

(2)

and to entitle a man to a franchise for Legislative Council a higher qualification than the proposed one, but certainly much lower than the existing one, may reasonably be regarded as sufficient broadening of the franchise. It need hardly be pointed out that persons possessing the qualification stated in the scheme have so far no vote even in the local bodies.

III.—CONSTITUENCIES.

As to the formation of constituencies I generally agree with the Government memorandum but the distribution of seats allotted to the province can well be modified with advantage. For instance Lucknow and Unao may be given one seat considering the position which Lucknow occupies in relation to the Muslim Community. Hardoi might well be grouped with Kheri and Sitapur.

IV.—DIVISION OF SUBJECTS.

As regards the division of subjects I adhere to the views expressed in the resolutions passed at the Special Sessions of the Indian National Congress and the All India Muslim League in August last at Bombay.

I beg to add in the end that the views expressed in this Memorandum are liable to be changed if I think it proper to do so at the time of my giving evidence.

L u c k n o w :
Dated 21st November 1918.

I have the honour to be
SIR
Your most obedient servant
S. WAZIR HASAN.

Dated Cawnpore, the 14th November 1918.

From—J. G. RYAN, Esq., Secretary, Upper India Chamber of Commerce,
To—The Chief Secretary to Government, United Provinces, Allahabad.

In response to your telegram of the 17th October, requesting this Chamber to nominate witnesses to explain the scheme which it is desired to place before the Franchise Committee in connection with the Report on Constitutional Reforms, I am directed to say that this Chamber has no scheme to submit, nor do my Committee consider that it is any part of their duty to attempt to frame such a scheme. In view of the figures available of Municipal and District Board electorates in these Provinces, which disclose that a maximum of four per cent of the town population and less than one in two thousand of the rural population possess a vote in local affairs, my Committee fail to see how it is possible in these Provinces to attain anything approaching a representative franchise. Even if the proportion of the rural population entitled to vote be brought up to the same inadequate figure as in municipal areas it will be found that the resultant number of voters, i.e., approximately a million and three-quarters, will exceed the total male literate population of the United Provinces by, roughly, a quarter of a million.

My Committee will, however, be glad to furnish their views when the Franchise Committee submit their report for consideration. They desire, now, to take the opportunity of pointing out the claim of Commerce to adequate representation on the Provincial and Imperial Legislative Councils.

If, as is forecasted in paragraph 225 of the Report on Constitutional Reforms, there is to be an enlarged Provincial Legislative Council my Committee submit that the representation of Commerce thereon should be correspondingly increased so as to secure the increased representation of European and Indian Commerce and also of the Marwari community.

Similarly, if the Imperial Legislative Assembly is to be enlarged, my Committee submit that the Commercial representation thereon, instead of being confined, as at present, to the Chambers of Bengal and Bombay, should be extended to the Upper India Chamber as representing the considerable commercial and diverse industrial interests of Upper India.

Although European representation would thus be secured to Commerce there is a large European non-official interest which would still be unrepresented and my Committee submit that adequate representation should be secured to this community in the enlarged Councils. While communal representation has been conceded in the report to the Muhammadans and the Sikhs it has been denied to the non-official European and to other numerically minor communities, and it is in communal representation alone that my Committee see any possibility of obtaining a workable franchise. The claim of the European community is so self-evident that it needs no elaboration in this note.

Dated Allahabad, the 14th November 1918.

From—H. DAVID, Esq., President of the Provincial Indian Christian Association,

To—The Chief Secretary to Government, United Provinces, Allahabad.

I have been moved to submit a request on behalf of the Provincial Indian Christian Association. The Sub-Committees will soon commence enquiring in these Provinces on the subject of the franchise, and the divided functions of the Government. The Indian Christian Community feels that unless its case be represented by accredited members of the community, it is likely to suffer.

Therefore, I have the honour to request you kindly to obtain permission for me and one other to be named hereafter by the Association to submit the views of the community on the subjects of enquiry before the sub-committee.

*has
income
taxation for*

questions for discussion with the
Hon ble the Chief Commissioner.

1. The possibility of extending the franchise in rural areas so as to give a vote to rural traders with an income below the income-tax level.
2. The lowering of the urban franchise to cover household of Rs. 36 per annum.
3. The question whether owners as well as occupiers should not be included under (4) of paragraph 14 of the Administration's note.
4. Whether the urban qualification should not also apply to the small municipal towns included in rural constituencies.
5. As an alternative, to exclude the small municipal towns from the rural constituencies and to include them in the divisional urban groups. Or the alternative scheme of separate constituencies for large towns.
6. The addition of a separate educational standard (e.g., non-student matriculates or graduates) as a franchise qualification.
7. The proposal to give a vote to all landholders in the Central Provinces and to all watandar patels holding offices and registered deshmukhs and deshpandias in Berar.
8. The conversion of the proposed plural constituencies into single member constituencies, either by (a) accepting unequal constituencies with the tahsil as a unit or (b) dividing tahsils where necessary.
9. Whether the proportion of members allotted to Berar.....

Barar (12 out of 47) is adequate to its importance.

(10. The abolition of the existing privilege of a separate electorate for large landlords, and the substitution of one representative of zamindars and hereditary title-holders.

11. The question of separate electorates for Muhammadans for 15 per cent of the Indian elected seats, in accordance with the Lucknow compact of the Congress-Muslim League.

12. The question of separate electorates, instead of nomination, for:-

- (a) European and Anglo-Indians
- yes (b) Mining (registered under the Mines Act)
- yes (c) Factories (under the Factories Act)
- (d) Commerce

13. Whether the number of nominated official members is adequate to provide for the needs of the Grand Committee and for select Committees on Bills.

14. The enlargement of the Council in order to give effect to any of the above questions that may be accepted.

15. The question whether a subject of a Native State should be allowed to vote or whether the qualification should be limited to British Subjects. The special position of Barar in this respect.

16. The method of preparation of the electoral roll, e.g., whether it should be restricted to applicants for the vote.

17. The residential qualification for candidates prescribed in paragraph 17 of the Administration note.

Questions to be discussed with

the Hon'ble the Chief Commissioner of Assam
reference to the Province of Assam.

1. Is it desirable to provide any representation by

nomination for the excluded tracts and if so, what?

2. In view of the difficulties of a franchise based on households with an income qualification, would it not be preferable to base the franchise on individuals with a property qualification, viz.,

(a) payment of revenue in temporarily settled tracts;

(b) payment of chowkidari tax or cess in permanently settled tracts;

(c) payment of municipal tax in municipal areas;

(d) payment of income tax.

3. In addition to the property qualification, should there be an additional qualification based on education alone

without any property qualification, e.g., non-student matriculates or graduates?

4. The question of separate representation for (1)

planting and (2) mining interests in substitution of or

in addition to European communal representation and the

amount of such representation, in paragraphs 125-129 of

the scheme is wide to include the whole of Assam, with the

6. The qualifications required for (a) voters, (b) candi-

dates, apart from the property qualification, e.g., age,

residence, British subject etc.

7. The question of separate representation for municipal

towns of the province has been dealt with in paragraph 125 of

8. The method of selection of Assam representatives on

(a) the India Legislative Assembly and (b) the Council

of States.

9. Whether there should be any increase in the number of

members of the Assam Legislative Assembly.

Note on the Report on Indian Constitutional Reforms, with special reference to the Province of Assam.

1. When the Secretary of State made his announcement of 20th August 1917, I was a Member of the Executive Council of the Governor of Bengal. A month later I went home on leave, and I returned to India in March 1918. Soon after that, on 1st April 1918, I took over charge from Sir Archdale Earle of the Chief Commissionership of Assam. I therefore took no personal part in the discussions of the winter of 1917-18. The present note is based on a study of the papers left by my predecessor, on consideration of the opinions written and verbal which have been furnished by officials and non-officials since my arrival in the province, but above all on 29 years' personal experience (mainly as District Officer, Settlement Officer, and Director of Land Records) in Bengal and Assam.

2. I may say at once that I am prepared to subscribe to the announcement of 20th August 1917. It would, I think, have been better if the announcement had been postponed until after the conclusion of peace. It would also have been better if the announcement had contained a clear recognition of the position of the non-official British community and of the part which they are expected to play in the new dispensation. The announcement has however been made, and although (as far as I am aware) it has not been embodied in any resolution of either House of Parliament, it has now held the field for more than a year and has not, in spite of ample opportunity, been repudiated by either House. It therefore stands as a pledge to which the British Government is committed. In other words, it has become a point of honour, no less than of policy, that henceforth our goal should be "the progressive realisation of responsible government in India as an integral part of the British Empire;" that "substantial steps in this direction should be taken as soon as possible;" and that the British Government and the Government of India "must be the judges of the time and measure of each advance."

3. I have carefully examined, with special reference to Assam, the scheme which has been prepared by Mr. Montagu and Lord Chelmsford. Along with other subordinate officers of Government I cannot help acknowledging the courtesy, not to say chivalry, which our chiefs have shown in asking us to examine their proposals with an open mind and to express our opinions freely. I propose to take full advantage of the privilege thus offered, feeling confident that in so doing I am carrying out the wishes of my commanding officers. If my criticisms and suggestions are, after due deliberation, over-ruled, I am prepared to carry out loyally whatever final orders may be issued.

4. The first point for consideration is that raised in paragraphs 198-199 of the report, namely, whether it is wise to include the whole of Assam within the scope of any scheme of constitutional reform; and, if not, what part should be included and what excluded. Much of course depends upon the nature of the scheme which may ultimately be standardised, but it may at once be granted that if in any province there are tracts which have hitherto been excluded from all constitutional experiments, and have hitherto been governed upon purely paternal principles, these tracts should either be excluded completely from the present scheme, or at least should be included subject to adequate safeguards and reservations. It has been suggested in paragraph 199 of the report that the "schedules" of the Scheduled Districts Act might form the criterion for exclusion from the scheme. I do not propose to apply this criterion to Assam, as the whole of the province has been "scheduled." Such a solution would mean that Assam, although nominally included in the scheme, was totally excluded, which is of course unthinkable. The component parts of the province must therefore be examined without reference to the Scheduled Districts Act. From such an examination we find at once that we are confronted with a problem of much difficulty and complexity. In shape and position Assam consists of an inverted triangle with its base along the north and its apex pointing south. Bengal lies on the west, Burma on the east, while along the north are Bhutias, Akahs, Daphlas, Miris, Abors and Mishmis. The whole area of the province is about 77,500 square miles and the population at last census about 7 millions. As might be expected, every diversity of race and language is found. Aryans, Mongolians and Dravidians are found in bewildering confusion. As many as 43 different languages are spoken in the province, and if we exclude those which are spoken by less than 10,000 people we have still

32 languages, each spoken by a large section of the inhabitants. Looked at from a political point of view, this province (like Gaul) is divided into three parts. The first part consists of :—

The Garo Hills,
The Khasi and Jaintia Hills,
The Mikir Hills (in Nowgong and Sibsagar),
The North Cachar Hills (in Cachar),
The Naga Hills, with outlying tracts,
The North-East Frontier Tract, in two parts,
The Native State of Manipur,
The Lushai Hills.

This part covers nearly two-thirds of the whole province—in other words 50,500 square miles out of 77,500. Its population is roughly one million, consisting of simple hill tribes governed in patriarchal fashion. With the exception of Shillong Municipality, which joins with some other municipalities in electing a member, this vast tract is entirely unrepresented in the present Legislative Council.

The second part of the province consists of the following districts lying along the river Brahmaputra :—

Goalpara,
Kamrup,
Darrang,
Nowgong (the remainder),
Sibsagar (the remainder),
Lakhimpur.

This part, known as the Assam Valley, covers about 20,000 square miles and has a population of about 3 millions. In this part the prevailing religions are Hinduism and Animism, and the prevailing language is Assamese. The Assam Valley elects four Indian members to the present Legislative Council, including one representative of the Muhammadan minority.

The third part of the province, separated from the second part by ranges of hills, consists of a small but densely populated tract known as the Surma Valley. The districts in this part are Sylhet and Cachar (Sadr and Hailakandi subdivisions). The area is much smaller than the Assam Valley, being only 7,000 square miles. The population is, however, practically the same, namely, 3 millions. The Muhammadans form a slight majority. The Surma Valley like the Assam Valley elects four Indian members to the present Legislative Council. Of these members, two are Hindus and two are Muhammadans. Of the latter, one represents the Local Boards, while the other represents the communal electorate.

In both Valleys there are numerous tea gardens. They cover an area of 2,000 square miles and give employment to half a million Indians. The Tea Industry has three representatives in the present Legislative Council.

5. The map which I annex to this note gives a vivid picture of the province. The large area coloured red indicates the Hill tracts which are as yet unrepresented in the Legislative Council. The two smaller areas coloured white indicate respectively the Assam Valley and the Surma Valley which each elect four Indian members and between them, three British members. It will be readily admitted that owing to the peculiar conditions of this province much could have been said for treating Assam like Burma, in other words for postponing the operation of the new scheme until the experiment had been tested elsewhere. Much could also have been said for treating Assam somewhat on the lines of the North-West Frontier Province. For example, our Legislative Council (although enlarged and reformed) might have retained for the present its existing constitutional functions, while the only change in the executive administration might have been the association with the Chief Commissioner of an advisory council, constituted on a liberal basis. I have carefully considered both these proposals and have come to the conclusion that, whatever be their intrinsic merits, they are no longer within the sphere of practical politics. As Assam has been included in the Report along with the seven major provinces of India, Assam must stand or fall along with them. The future constitution of Assam must follow the general lines of the constitutions of the other seven provinces, although I hope I have already written enough to show that the constitution of Assam cannot be identical with those of its richer, more populous and more homogeneous neighbours.

In particular, the existence of 50,000 square miles of patriarchal tracts constitutes a distinct problem which must be faced. How are we to treat the area coloured red? To frame electorates for this area and to include it in the general scheme is out of the question. It is true that the standard of education in the Khasi and Jaintia Hills is comparatively high, but the people have as yet shown no desire for political union either with the Assam Valley or with the Surma Valley, and moreover a very large proportion of them are subjects of Indian chiefs (Siems). The inhabitants of the other Hill tracts are obviously unsuited for full inclusion in the scheme. On the other hand, there are cogent arguments against complete exclusion of the "red" tract. In the first place the present Legislative Council has power to legislate for the "red" tract and has, to a limited extent, exercised that power. There is no real danger in the existence of this legislative power. It is laid down in section 14 of the Assam General Clauses Act, 1915, that "unless and until extended under the Scheduled Districts Act, or otherwise, no Act of the Assam Council, in the absence of special provisions to the contrary, shall come into force" in the Hill tracts. An additional safeguard exists in Regulation 2 of 1880 which empowers the Chief Commissioner, with the previous sanction of the Governor General in Council, to direct that any enactment in force in the Hill tracts "shall cease to be in force therein." So far as legislation is concerned there is therefore no real danger if the new Legislative Council, like the present Legislative Council, has nominal power to make laws for the Hill tracts. On the other hand, it makes for simplicity that the Legislative Council should have such power. There is however a more practical point. It will be seen from the accompanying table* that the hills are, to a considerable extent, financed from the plains. If the hills are to be altogether excluded from the new scheme it will be necessary to arrange that the plains are to pay an annual tribute towards the administration of the hills, just as they are to pay an annual tribute to the Government of India. There are obvious practical objections to such a system. Moreover, if the plains are to supply funds for the administration of the hills it is equitable that the representatives of the plains should not be deprived of all voice in the spending of their money. At present the representatives of the plains can and do ask questions regarding the administration of the hills. They can and do discuss expenditure in the hills on the occasion of the budget debate. To deprive them of these privileges would be a step which it would be hard to justify. Seeing, then, that it is not proposed to make over to the portfolio of a "minister" any matter connected with the hills, and that, whatever may be said in debate or embodied in resolution, the Governor in the future administration will be able to ensure that the hills are sympathetically administered and adequately financed, I have come to the conclusion that the whole of the province as at present constituted can safely be placed under the new administration of a "Governor in Council."

6. I now turn to examine the specific proposals set out in Chapters VIII and IX of the Report headed respectively "The Provinces" and "The Government of India and the India Office." I shall indicate as briefly as I can how far the proposals seem to me to be suitable generally, or in their application to Assam. I may say at the outset that although this note does not purport to deal fully with the question of financial devolution, I accept generally the proposals contained in paragraphs 200-211 of the Report, subject to the important stipulation that, in the peculiar circumstances of Assam, I regard as excessive the proposed tribute of 18 lakhs from the Provincial to the Imperial Government.

7. As regards the general principles of "legislative devolution" and "administrative devolution," I find myself in substantial agreement with paragraphs 212-213 of the Report. I have therefore nothing to add.

8. The next point for consideration is the crucial point of "Provincial executives." I have been Chief Secretary to two Lieutenant-Governors without Councils; I have been a member of the Executive Council of two Governors, one of whom had formerly been a Liberal member and the other a conservative member of the House of Commons; and I am now head of an Administration without a Council. I have therefore seen a good deal of the inner working of various constitutions, and I am far from being an out-and-out supporter of council, as opposed to personal, government. I recognise however that as a matter of practical politics, and for the reasons given in paragraph 214 of the Report, some form of "collective administration" should now be set up in the eight provinces. As regards the scheme propounded in paragraphs 218-221 of the Report, I have examined it with great care and have compared it with the existing schemes of Council Government, such as the scheme in Bengal with

* Appendix I to this Note.

which I am personally acquainted. As an engine of administration there can, I think, be no question that the present system—that is to say, a system in which the whole of the governing body is responsible for every act of Government, and in which the voice of the majority prevails—is more satisfactory, more straightforward, and more consonant both with British and with Indian traditions than the scheme which is now put forward. I have tried hard to see how the scheme now proposed palliates the evils of dualism—in other words, diarchy. It is true that there will be “associated deliberation,” that all orders will issue as orders of the “Governor in Council,” and that the governing body will try to “present a united front to the outside.” In fact, however, one section of the governing body will always enter the Council Chamber with its hands tied. It will take part in the discussion but not in the decision. It may, and often will, constitute a majority of the governing body and yet will be powerless to carry its opinion into practical effect. It is not even clear whether the dissentient members of the governing body will have the right to record their objections in a formal “minute of dissent”; and yet it is expected that “all decisions of the Government should be loyally defended by the entire Government.” The authors of the scheme frankly admit that they have been “driven to devising some dualism in the executive.” Can we feel any confidence that this dualism will in actual practice work better than other dualisms which have appeared in history? For example, without pressing the analogy too far, can we help remembering the dualism which existed in Judæa in the first century of the present era—the dualism of the Roman officials and the Hebrew Sanhedrim? In a famous case, and as a direct outcome of this dualism, the Roman Governor felt compelled, against his better judgment, to acquiesce in an unjust decision. He “washed his hands before the multitude”—but the unjust decision was carried out.

9. The question before us is this—is it really essential, in order to carry out the declaration of 20th August 1917, to introduce the dangerous element of diarchy into the system of Council Government as it now exists in India? The fundamental principle of the existing system is contained in section 50 (1) of the Act of 1915 :—

“If any difference of opinion arises on any question brought before a meeting of a Governor’s Executive Council, the Governor in Council shall be bound by the decision and opinion of the majority of those present, and if they are equally divided, the Governor or other person presiding shall have a second or casting vote.”

The second clause of the same section empowers the Governor to over-rule the majority of his Council when he is satisfied that the “safety, tranquillity or interests of his presidency, or any part thereof, are or may be essentially affected.” The third clause provides that when the Governor takes this extreme step he and all the members of his Council shall embody their opinions in formal minutes. The cases in which the Governor over-rules the majority of his Council are of course extremely rare. In my personal experience in Bengal I have never known such a case. This is probably because the Bengal Council (like other provincial Councils) has hitherto consisted of four members, including the Governor. In order, therefore, that the Governor may secure his own ascendancy, all that is necessary is that he should obtain the acquiescence of one member of his Council. The Council is then divided two against two and the Governor carries the day by his casting vote.

10. In the every-day working of the present system of Council Government, not only is it extremely rare (almost unknown) for a Governor to over-rule the majority of his Council, but it is comparatively rare for a case to come to Council at all. I have no statistics before me, but I doubt whether more than three per cent. of the total number of cases are dealt with in Council. Through the whole system, however, runs the guiding principle that the voice of the majority prevails. To make this clear I would refer to the statutory Rules of Business, framed for the Bengal Council. The allotment of departments to the portfolios of the different members rests entirely with the Governor (Rule 1). On the other hand, no department is allotted absolutely to any member; it is allotted to him only “for the purposes of the first perusal of papers and the initiation of orders thereon” (Rule 2). Thus from the very outset the corporate character of the administration is strongly emphasized. The Member in charge may dispose of all cases of minor importance (Rule 4), but in all cases of major importance he must first submit the papers to the Governor (Rule 5). On receiving the papers the Governor may concur with the member in charge and direct that orders shall issue at once; but whether he concurs or does not concur he may direct that the case shall be considered by the whole Council and decided by a majority of votes (Rules 18-19). Moreover, all important letters received from the Secretary of State or the Government of India are circulated to every Member of Council, not only those which relate to his own departments but also those which relate to other departments (Rule 6); while the Governor

circulates to each member a weekly table showing what cases have been disposed of by himself and by the other members (Rule 10). Each member is therefore kept informed of all the important work on the files of his colleagues and he has a right, which is freely exercised, of calling for the papers on any subject (Rule 13). On receiving the papers he may ask the Governor to have the case decided according to the votes of the whole Council. Technically, the Governor has the right to refuse this request, but I cannot remember any case in which it was refused. In practice the case is always decided according to the votes of the majority, either at a meeting or otherwise (Rule 20). It therefore follows that although the bulk of the work does not actually come before the whole Council each member disposes of his work in a corporate atmosphere. He recognises that when he passes even a routine order he must be prepared, if necessary, to justify it before the whole Council and secure a majority in its favour. In the diarchic, or compartmental, system all this will be changed. The allotment of departments to the various members will no longer rest with the Governor but will be regulated (as I understand) by statutory lists framed by the Secretary of State and modified from time to time on the advice of a Parliamentary Commission. Each member will regard his portfolio as a water-tight compartment with which no other member can interfere. Not only will the practice of voting as a Council wholly disappear but apparently no member will have a right to call for any papers which relate to the portfolio of another member. He will be entitled to express an opinion, though not to record a vote, upon any case which the Governor, after consultation with the member in charge, places before him. I cannot see how, in these circumstances, any member of Government, whether official or non-official, can fairly be asked to make himself responsible for, and to defend before the public, all the acts of his colleagues. It is true of course that in the present system a member of Government may find himself in a minority in the Executive Council and yet be called on to defend before the Legislative Council the opinion of the majority of his executive colleagues. I have often seen this happen and I give testimony to the loyalty with which the task has always been performed. The member concerned feels that he belongs to a corporate body in which all questions must be decided by a majority; that he has had a "fair run for his money" and has been beaten in a fair vote; that he has deliberately decided not to tender his resignation; and that it is therefore up to him to support his colleagues knowing that on a future occasion and in similar circumstances they will do the same to him. I have of course no personal experience of Cabinet Government in Great Britain, but I have no doubt that, like Council Government in the provinces of India, it is made workable only by the spirit of camaraderie, of give-and-take, and above all of loyalty to the majority. This spirit must, I fear, be altogether absent in any compartmental system. It is therefore that I strongly urge that the new system, like the old, should be corporate and not compartmental.

11. I am of course aware that the compartmental scheme has been put forward as the only possible scheme which can secure the "progressive realisation of responsible government" coupled with an immediate and substantial step in that direction. I confess that I am unable to follow the arguments by which this view is supported. I have carefully considered the various schemes set forth in paragraphs 216, 217, and 242-246 of the Report and the grounds on which they were rejected. To my mind however these schemes are not the only possible alternatives to diarchy. I shall briefly explain my own proposals. As an essential preliminary I would suggest that the words "not exceeding four" should be removed from section 47(1) of the Act of 1915. The Executive Council of each province could then be constituted on a liberal scale suitable to each province. The numbers would vary according to local conditions, but generally speaking the Executive Council would consist of a Governor and six members. Of the six members, two, at the outset, would be officials, two would be ministers (to adopt the convenient phrase in the report), and two would be nominated non-officials. The officials and the ministers would have portfolios and would be in a complete equality in the matter of pay, status and designation; the nominated non-officials would be unpaid and without portfolios. The Councils would be wholly corporate, just like the present Councils, and they would contain from the outset a clear non-official majority. If the Councils were at once reconstituted on this basis no one could deny that a "substantial step" had been taken on the road towards responsible government. Moreover, the scheme contains the germs of future expansion—first in a gradual increase in the proportion of ministers in the Cabinet of six, and secondly in the distribution of portfolios among the ministers and non-ministers, so long as the latter remain. That in addition to his personal responsibility for the departments in his immediate charge each member of

the Cabinet, whether minister or non-minister, should have an indirect and corporate responsibility for the other departments is, to my mind, a distinct advantage rather than a disadvantage. Finally, I should make it clear that in my scheme the Governor would retain his existing statutory power of over-ruling the majority of his Cabinet in order to preserve the "safety, tranquillity, or interests of his presidency." The ultimate authority of the Secretary of State, and through him of Parliament, would thus be amply safe-guarded.

12. So far I have been considering the question of Provincial Governments from a general point of view. I now turn to the case of Assam. Here it is a genuine pleasure to be able to note that my views are in practically complete unison with those of the Hon'ble Mr. Kamini Kumar Chanda, the elected member who now represents Assam in the Imperial Legislative Council. The Hon'ble Member writes as follows:—

"Instead of division of the Government into two parts, *viz.*, an executive council regarding the 'reserved' subjects and a minister or ministers under the Governor as regards 'transferred' subjects, I would suggest that there should be one provincial Executive consisting of the Governor and a Cabinet, not more than half of the members of which should be appointed from outside the Legislative Council (Provincial) and one-half of this half should be non-official Indians. The remaining half of the Cabinet should be drawn from the Legislative Council appointed by the Governor. All the members of the Cabinet must vacate their office with the close of the Governor's term of office, but would be eligible for re-appointment. All the members of the Cabinet should have the same official designation, receive equal pay and have the same status. Members appointed from the Legislative Council should be in charge of 'transferred' subjects.

Members in charge of 'reserved' subjects and those of the 'transferred' subjects to act together in all matters and form one undivided executive and deliberate upon all subjects, reserved or transferred, together and jointly decide the common policy of the Government. The division into 'reserved' and 'transferred' subjects to refer only to the control of the Legislature, and not to create any division of responsibility within the executive government itself."

Whatever may be our differences on other points, I see little or no difference between myself and Mr. Chanda on the essential question of the constitution of the provincial government of Assam. Whether Mr. Chanda agrees with me, or disagrees with me, regarding the territorial distribution of our provincial government, I am unable to say. He has not discussed this question in his interesting note.

13. At this stage I would again revert to the accompanying map of Assam and to what I have written regarding the province in paragraphs 4 and 5 of this note. We must constantly remember that we are dealing with a small and poor province in which representative institutions are at present confined to two Valleys, separated from one another both geographically and ethnically, and each inhabited by a total population rather less than that of some Bengal districts. On this slender foundation how are we to build up the imposing and expensive structure of a Governor in Executive Council? At present the Chief Commissioner administers the province with the help of the three Secretaries (including the Chief Engineer), three Under-Secretaries, ten Heads of Departments, and two Divisional Commissioners—also twelve District Officers and three Political Officers. The Political Officers are immediately subordinate to the Chief Commissioner and correspond with him direct. The District Officers are all subordinate to one or other of the Divisional Commissioners. After careful consideration I have come to the conclusion that to create a highly paid Council and to locate it in Shillong, interposed (so to speak) between the Secretaries and the Chief Commissioner, would be wrong in principle and ruinous to the province. The Administration already errs in the direction of being top-heavy and I strongly urge that we should not make it more so. A better and simpler plan would be to raise the Divisional Commissioners (on their present pay) to the status of members of Government and to associate with each of them a minister chosen from among the elected members of the Valley concerned. The minister, as already indicated, would be a "Member of Council" and would receive the same pay as the *ex*-Commissioner. Personally I would have no objection to allow the elected members of each Valley to elect the minister for that Valley, but perhaps it would be better to say in the first instance that the elected members of each Valley will prepare a roster of three of their number who possess their confidence and are willing, if required, to accept the post of minister. The Governor would make his selection from this roster. As regards the distribution of work between the official member of Council and the minister the latter would naturally be entrusted with all the popular subjects (Local Self-Government, Education, Agriculture, Industries, etc.) so far as the plains are concerned; while the official member—*i.e.*, the officer who has hitherto been the Commissioner—would be entrusted with the remaining work in the plains and all the work in the hills. It must be distinctly understood that I am not proposing a subordinate

divisional council, such as is sketched in paragraph 213 of the Report. The *ex-Commissioner* and the Minister will have their headquarters together in the plains, but they will be colleagues, not subordinates of the Governor in Shillong. The officer who is now Personal Assistant to the Commissioner will be raised to the status of a "Secretary to Government." The letters which the District Officers formerly addressed to the Commissioner will now be addressed to the "Secretary to Government, Assam (or Surma) Valley." The Secretary will lay them for orders before the official member or the Minister, as the case may be, and the orders will issue, over the signature of the Secretary, as the final orders of Government. If however the case is one of considerable importance—in other words, falls within the category contained in Rule 5 of the Bengal Rules already mentioned—the case will be submitted to the Governor before the issue of orders. The file will go in original, just as it does in Bengal. On perusing the file, with the recommendation of the member in charge, the Governor will decide whether final orders are to issue at once or whether the case is to be held over for the next meeting of the whole Council. Similarly, in all cases which relate exclusively to one or other Valley the head of a department will address his correspondence to the "Secretary to Government, Assam (or Surma) Valley" and will receive his orders, through the same channel, from the appropriate member of Council. In fact, the relationship between the Governor and the members of Council, and between the Members of Council and the officers of Government generally, will be exactly the same in Assam as it is now in Bengal. I think I would only make two small changes. It is laid down in Rule 12 of the Bengal Rules that "no case shall be referred by one member of Council to another member personally for opinion, without the previous consent of the Governor." It seems not only unobjectionable, but highly desirable, that the *ex-Commissioner* and the Minister in the same Valley should consult one another with perfect freedom. I would therefore strike out this rule altogether. I would also modify Rule 13 so as to place it beyond doubt that when any member of Council asks to see the file of another member the Governor will never refuse his request, provided that the papers can be spared at the moment.

14. Of course many details will require to be worked out—such as the custody of files, the distribution of cadres, and so on—but I have written enough to indicate plainly what is the nature of the scheme which I recommend. It will, I trust, involve a minimum of extra cost and a minimum of departure from the existing course of business. It will also secure an automatic measure of decentralisation at the same that it introduces real self-government into each Valley.

15. In paragraph 11 of this note I have suggested as a general proposition that the Executive Councils of provincial Governors should, in addition to officials and ministers, contain an element of non-officials without portfolios. I regard this as of great importance everywhere and of particular importance in Assam. If there is to be an Executive Council in Assam it is essential that all the great communities of the province should be represented on it. For example, if the two first ministers are a Hindu from the Assam Valley and a Muhammadan from the Surma Valley, I would complete the Executive Council by the addition of a Hindu from the Surma Valley and a representative British planter. These additional members would be unpaid and without portfolios, but they would have the full status of members of Council, would receive papers on circulation, would be entitled to call for papers at their pleasure, and above all would be entitled to vote on every case, at the meetings of the Executive Council. It might be well to leave a free hand to the Governor in nominating these additional members of council, though personally I should almost always select them from the members of the Legislative Council. I need hardly add that as I have proposed that two non-officials should be additional members of the Executive Council I do not also propose that any officials (as suggested in paragraph 220 of the Report) should be appointed in this capacity.

16. I now turn to the question of the provincial legislature. I entirely agree that the present system of indirect election is radically bad and that the Council should be reformed and enlarged. At present it consists of 24 members:—

Elected by Indians ...	...	...	...	8	} 11
" " Tea Associations ...	...	...	...	3	
Nominated officials ...	...	...	...	9	} 13
" non-officials ...	...	...	...	4	
		Total ...	...	24	

I propose that the future Council should consist of 50 members, made up as follows:—

Elected by Indians ...	...	...	...	...	30	} 40
" " Britons ...	...	...	...	...	10	
Nominated officials ...	...	...	...	...	5	} 10
" non-officials ...	...	...	...	...	5	
Total ...					50	

In addition to these 50 members the Governor and the two official members of his Executive Council would be *ex-officio* members of the Legislative Council. The two ministers would already be elected members, while the two "additional members" of the Executive Council would (if not already elected members) be among the nominated non-officials on the Legislative Council. Room should also be left for the appointment, as occasion requires, of two temporary "expert" members.

17. As regards the franchise for the Indian constituencies, I would refer to a separate note which I have caused to be prepared. Here I need only say that there are approximately 600,000 households in each Valley. I should like to enfranchise the heads of all these 600,000 households, and I look forward to the time when this will come. For the present, in order to bring the electoral roll into practical dimensions, I propose to confine the franchise to approximately one-fourth of the heads of households. To secure this I would lay down that a family income of Rs. 250 per annum, whether from land or from any other source, entitles the head of the family to a place on the electoral roll. The preparation of the electoral roll presents no practical difficulty. Lists of households, with the name of the head of each house, will be prepared in 1919-20 in connection with the census of 1921. For the purpose of the census each of these lists will be supervised by a responsible officer. I propose that this officer should receive from the Deputy Commissioner an instrument of instructions, based on the local conditions of his circle, which will enable him without real difficulty to prepare a provisional electoral roll *pari passu* with his supervision of the census papers. The provisional roll will be published for criticism, and after the hearing of objections will be finally framed. I anticipate that objections will be comparatively few. Assuming that my estimate is correct and that the standard of Rs. 250 produces a roll of one-fourth of the heads of households, we shall obtain approximately 150,000 voters in each Valley. These will be divided into 15 suitable constituencies of about 10,000 each. It may be thought that 10,000 voters are too many to be managed. It is not, however, necessary that all the elections should be held on the same day, and it can easily be arranged that the poll shall remain open for three days or even a week. In a typical constituency of 10,000 voters it will probably be sufficient to open 5 polling stations, each in charge of a Sub-Deputy Collector. It is not likely that more than 7,500 voters will come to the poll. Each Sub-Deputy Collector will therefore have to deal with 1,500 voters. I have personally presided at Municipal and Local Board elections and I know that a presiding officer can deal with 500 voters in a day. If therefore the poll remains open for three days, the Sub-Deputy Collector will easily get through his work. If the poll remains open for a week, the task will be further simplified. I have only to add that as I have 65 Sub-Deputy Collectors in the province I would guarantee to complete all the elections within a month.

18. It will be seen from what I have written above that I propose to sweep away all "fancy franchises" and to proceed upon broad and democratic lines. A long experience of the villagers in their own homes has convinced me that their political instinct is quite as sound as that of the richer and more literate classes. I have recently been reading the history of England in 1867. Time has shown that true wisdom was found in the "Tea Room Party" rather than in Mr. Gladstone and Mr. Bright. Like Lord Derby I am prepared to take a "Leap in the Dark" and I have no fear of the consequences—provided that my recommendations are accepted in the matter of communal representation.

19. It will be seen from the annexed note that I have not proposed to give separate members to municipalities. This is not a question on which I have strong views, but as no municipality in Assam has a population of 15,000 I prefer on the whole that the municipalities should vote along with the surrounding country. In any case Shillong Municipality must be somewhat of a problem. I suggest that it should be amalgamated with North Sylhet, which also includes the important town of Sylhet.

20. I have carefully considered the difficult question of communal representation. The principle has already been conceded in the case of the Muhammadans and of the Sikhs and I can see no reason why it should be refused in the case of other

communities which have distinct interests and which, in the absence of communal representation, have no reasonable chance of adequate representation. To my mind it is immaterial whether the community concerned is, or is not, in a numerical majority in the area under consideration. The real questions are these:—*First*—Is the community one in regard to which it is desirable for political reasons that they should *now* be represented on the Council by spokesmen of their own race and religion? *Secondly*—Has the community any real chance of being *now* so represented in the absence of a communal electorate? If the answer to the first question is "Yes" and the answer to the second question is "No", then I would brush aside all theoretical considerations, look the situation straight in the face, and grant a communal electorate. I have frequently disagreed with my late colleague Mr. P. C. Lyon, and on no question have we disagreed more completely than on the question of constitutional reform, but I desire to express my fullest concurrence with his letter to the "Times," dated the 8th August 1918. After discussing the question of communal representation he concludes as follows:—

"The supporters of the new scheme who have had experience of the working of Legislative Councils in India ask for communal representation because they agree with its opponents that it is most important that Indians should learn to work together without consideration of class. It is by using it now to bring all parties together to share alike in public service and responsibility that we shall gradually persuade India that she can do without it."

So far as Indians generally are concerned I am content to leave the case as stated by Mr. Lyon. So far as British non-officials are concerned I shall state the case in my own way.

21. In view of the recommendations in the Report it is almost unnecessary that I should put forward any arguments on behalf of communal representation for the Muhammadans of the province. Here, as elsewhere, they are a peculiar people with peculiar interests and it will be many centuries before they will amalgamate politically with their Hindu or Animist neighbours. They are in a slight majority in the Surma Valley, but in a hopeless minority in the Assam Valley. Taking the two Valleys together they amount to one-third of the population and I therefore propose to give them 10 members out of 30. If the Muhammadans have an electorate of their own, they should have no voice in the election of the remaining Indian members.

22. I have carefully considered the case of the Indian Christians, the Animists, the lower caste Hindus, and the Ahoms. If the Indian Christians had been of sufficient numbers, I might have recommended them for a separate electorate. It is true that in occupation and mode of life they do not differ widely from their Hindu neighbours, but in many ways they are a distinct community with peculiar interests and peculiar claims. Seeing however that in the plains of the province they number only 23,000 as against my standard of 200,000 for an Indian electorate, I have regretfully decided that I cannot recommend them for a separate electorate. As regards the so-called Animists, their number in the plains is about half-a-million, but they are far from homogeneous and are often difficult to distinguish from other branches of the same Mongolian stock who claim to have entered the fold of Hinduism. As the nominal Hindus of Assam are to a great extent non-Aryans who have gradually become "converted" I see no valid reason for giving separate electorates to those who have, and to those who have not, crossed the rather shadowy border-line. As regards the lower caste Hindus, such as the Kaibartas (131,000) or the Namasudras (173,000) or the Patnis (111,000), the conditions in this province are fortunately different from those in Madras. I need only mention one luminous fact. The Hon'ble Babu Radha Binod Das who now sits as member for a mixed constituency in the Assam Legislative Council is a Kaibarta by caste. He has submitted an interesting note on the Report and has not even mentioned the subject of communal electorates. In the circumstances I do not propose to press for a communal electorate for the lower classes of Hindus in Assam. Lastly, I would invite attention to the claim which has been put forward by the Ahom community for a special electorate. This community numbers 197,000. It is one of the many Mongolian races which have entered Assam from the north or the west, have conquered the previous settlers, and have enjoyed a period of political ascendancy. Like most of its predecessors, this race has now assumed Hindu names and affected Hindu customs. The length of the Ahom ascendancy (600 years) and the comparatively recent date of its fall (less than 100 years ago) constitute some claim to special treatment, but, on the whole, especially in view of the formal embracement of Hinduism, I am not prepared to urge the Ahom claim or to distinguish it from that of the Rajbansis and Kacharis. Rai Sahib Padma Nath Gohain Baruah will however appear before the Committee and will argue the case for his community.

23. It has been stated in paragraph 232 of the report that "where the great landholders form a distinct class in any province, we think that there will be a case for giving them an electorate of their own." The talukdars of Oudh were no doubt in the mind of the authors of the report. I have carefully considered whether I can honestly recommend either that the permanently-settled mirasdars of Sylhet, or that the zamindar-families of Goalpara should be granted a separate electorate. I have come to the conclusion that neither claim can be established. If the zamindars of Goalpara had been more numerous, their case would have been strong, but I can hardly suggest that a separate electorate should be constituted from the representatives of seven families—Bijni, Sidli, Gouripur, Mechpara, Chapar, Parbatjoar and Karaibari. I have proposed that the district of Goalpara should elect two Hindu members to the Legislative Council. I cannot see why one of the great zamindars should not stand and be elected. But even if they fail to enter the Council by election, I would certainly make a point of nominating one of them to the Council whenever an important Bill connected with the district is about to be discussed. At the present moment a member of the Mechpara family, a barrister by profession, is a nominated member of Council.

As regards the mirasdars of Sylhet, there are a few large proprietors in the district, but the great majority are merely cultivators who enjoy a permanent settlement. They will be amply represented by the 12 members who have been assigned to the district.

24. I now turn to the case of the British non-officials. To speak freely, I consider that the main defect of the report is its inadequate recognition of the position of the non-official British community. It was as merchants and planters that the British came to India and it is essentially as merchants and planters that we are still here. The official British element is ancillary in function and accidental in form; the non-official British element is permanent and vital. So long as the Government remained bureaucratic in character the non-official Briton was content in the main to go on with his work of trade or cultivation and to leave the business of government to those members of his race who had taken up that business as their profession. But now that the whole character of the administration is to be changed the non-official Briton is entitled to demand that both in the Legislative and in the Executive he shall be placed in such a position that his past history will never be forgotten or his present interests overlooked. He is not a bird of passage and he cannot be so treated. Whatever may be said to the contrary he is "an integral part of the population of India." British families and British firms have been in India for generations and (unless they are deserted by the British officials in whom they have trusted) will remain here for many generations more. Some of the community are technically known as domiciled Anglo-Indians, others intend to spend the last few years of their lives in the home country. Some again are of pure European descent, others have a mixture of Asiatic blood. But the whole community is bound together by ties of origin, of religion and of common interest. We, the Government officials, are in a position of trust. Whatever constitution we now frame must be a constitution in which the other members of our own community can feel that they are safe—that their property is safe, that their lives are safe and (what really matters) that the lives of their women and children are safe. I am convinced that the great body of Indians, high and low, desire the permanent presence of the British community, both official and non-official. But nothing can be gained by pretending that things which have happened did not actually happen; or that things which are now happening are not actually happening. The British community remembers 1857 and there is no reason why it should forget it. Moreover, it has studied the report of the Rowlatt Committee and it knows that a dangerous conspiracy, aimed at the expulsion or extermination of the British community, has ramifications in every province in India. No wonder that the British community demands that the new constitution shall contain real safeguards for its existence. It is true that the scheme as put forward contains many ingenious devices, specially designed for its protection. But the more thoughtful members of the British community have already come to the deliberate opinion—an opinion based on the political training of the British race—that the only real safeguard is the constitution of a separate British electorate which shall send to the Legislative Council such number of British representatives as shall make their presence felt; and as a necessary corollary that on the Executive Council of the Governor there shall be at least one representative of the non-official British community. With these views I am in whole-hearted sympathy.

25. What I have written above refers to India generally. The case for the non-official Briton is peculiarly strong in Assam. As I have already noted, there are 2,000 square miles of tea gardens in the province. The British community scattered through the two valleys and the hills numbered at last census 2,725 men and women.

The non-official British community of Assam has taken a leading part in the work of local self-government throughout the province and it has now four members on the Legislative Council. Three of these are elected by the planting associations and one is a nominated member representing the mining interest. In an earlier part of this note I have already proposed that there should be a non-official Briton upon the Executive Council of the Governor. I now propose that there should be a communal electorate for the British community based on manhood and womanhood suffrage and that this electorate should send ten members to the Legislative Council, six from the Assam Valley and four from the Surma Valley. I regard this as the irreducible minimum for the safety of the British community. I have not proposed that the Tea Associations, as such, should elect members. I prefer that Britons, as Britons, should be the electors. As the tea interest preponderates in both Valleys it is practically certain that the leading members of the Tea Associations will be elected to the Legislative Council. Should this not happen, recourse will be had to nomination.

26. Having explained my views regarding the constitution of the provincial executive and the provincial legislative I shall now deal as briefly as possible with the other matters contained in Chapter VIII of the Report. As regards the position of official members in the Legislative Council (paragraph 233), I agree that, except when the Governor otherwise directs, they should have freedom of speech and vote. I cannot, however, agree to the other proposition contained in this paragraph. I have already urged that in the Executive Council the official and the non-official members should be allowed to vote upon subjects relating to the portfolios of the other class. I would allow equal freedom in the Legislative Council.

27. As regards the designation of members, I have no comment to make on paragraph 234.

28. In view of the fact that no non-official member of the Assam Legislative Council is resident or is likely to be resident in Shillong, but more especially in view of the structure which I have recommended for the future Government of Assam, I cannot see that in the administration of this province, there will be any place for "Standing Committees" such as are outlined in paragraph 235 of the Report.

29. As regards the "control of business," I agree with paragraph 236 of the Report.

30. It is clearly undesirable (paragraph 237) that resolutions of the Legislative Council should be absolutely binding, whether the subject be on the portfolio of a minister or on the portfolio of an official member of Government. I think, however, that unless there are very strong reasons to the contrary a resolution which only affects a subject on a minister's portfolio, without at the same time affecting a subject on an official portfolio, should be accepted. This should not, however, be a provision of law; it should be a matter of constitutional usage.

31. I now turn to paragraph 238 of the Report with special reference to the list of subjects which, it is proposed, shall henceforth be earmarked as "provincial." I have felt no small difficulty in grasping the situation and in understanding what is now expected of me. The list which is contained in Appendix II of the Report indicates in a fairly complete manner what are the subjects which are now dealt with by provincial Governments. I assume that "Finance" has been intentionally omitted as a separate subject, but even apart from this I would hesitate to say that the list is quite complete. I would, therefore, deprecate any proposal which would involve a declaration (statutory or otherwise) to the effect that the subjects in this list, or any similar list, constitute the whole sphere of influence of the Local Government, and that all subjects not in the list are in the hands of the Government of India. Whether it is, or is not, proposed that some such declaration should be made and that the Committee which is now on its way to India should prepare the draft for that declaration is the point on which I am in doubt. I have of course consulted many non-officials, both British and Indian, about the Report. In their individual answers they almost all avoid this list, evidently regarding it as a detail of no importance. As requested by the Government of India, I attempted to obtain from the non-official members of my Legislative Council a corporate opinion upon this list. I put to them the following written questions:—

"Do you consider that the Local Government should, as far as possible, be independent of the Government of India? If so, do you consider that the Report contains adequate proposals to secure this and, both as regards finance and as regards other matters of administration? Have you any suggestions concerning the Illustrative List of Provincial subjects contained in Appendix II of the Report?"

I obtained the following written answer :—

" It was unanimously agreed that the Local Government should be, as far as possible, independent of the Government of India. The Report was not considered to have made adequate provision for finance, in which matter it was agreed that Assam as a backward province should have more lenient and preferential treatment than other provinces and that the contribution from the gross provincial surplus to the Government of India should be materially reduced. The Illustrative List of Provincial subjects was considered adequate and no suggestions for amendment were offered."

In so far as this answer deals with the amount of Assam's "tribute," it is interesting but hardly relevant; while in so far as the answer deals with the "List of Provincial subjects" it is of little or no help, but is far from being uninteresting. It shows that the non-official members of our Legislative Councils, and still more the general public, have got no conception of the respective functions of the Government of India and the Local Governments. As a matter of fact, in every department, both those included and those not included among the 29 subjects in List I, certain functions are performed by the Imperial, and certain others by the Provincial Government. For example, even in such a purely Imperial Department as the Army the Local Government performs important functions in connection with the Indian Defence Force. In the Imperial Railway Department the Local Government does much work in the matter of alignments, waterways, heights of bridges, acquisition of land and so forth. Even in the Imperial Postal and Telegraph Department it is the Local Government which has to decide whether the letters of an individual should be opened and read. Turning back to the 29 listed subjects, it will be convenient to reproduce paragraph 50 of the Report of the Decentralization Commission :—

" The control of the Government of India over the Provincial Governments is at present exercised in the following manner :—

- (i) By financial rules and restrictions, including those laid down by Imperial departmental codes.
- (ii) By general or particular checks of a more purely administrative nature, which may (a) be laid down by law or by rules having the force of law or (b) have grown up in practice.
- (iii) By preliminary scrutiny of proposed Provincial Legislation, and sanction of Acts passed in the Provincial legislatures.
- (iv) By general resolutions on questions of policy, issued for the guidance of the Provincial Governments. These often arise upon the reports of Commissions or Committees appointed from time to time by the Supreme Government to investigate the working of departments with which the Provincial Governments are primarily concerned.
- (v) By instructions to particular Local Governments in regard to matters which may have attracted the notice of the Government of India in connection with the departmental administration reports periodically submitted to it, or the proceedings volumes of a Local Government.
- (vi) By action taken upon matters brought to notice by the Imperial Inspectors General.
- (vii) In connection with the large right of appeal possessed by persons dissatisfied with the actions or orders of Provincial Government."

In every one of these 29 subjects—which are at present deemed to be provincial and which it is proposed to earmark still more clearly as provincial—the Government of India exercises its control by one or more of the seven methods, sometimes by all the seven methods, set forth by the Decentralization Commission. Is it proposed that we should now go through these 29 subjects, see how far the seven methods have been applied to each of them in the past and recommend how far, if at all, the seven methods should be modified or discontinued in the future? Such a process, I submit, would be neither profitable nor desirable. As I have already indicated, the non-official community, especially in a province like Assam which has hitherto been under personal rule, is unable to give us the slightest help. In the second place, the official community, both before, after, and during the enquiry of the Decentralization Commission, has already examined the problem *ad nauseam* and is unlikely, without non-official assistance, to bring about any marked reform. On the whole, therefore, I think it would be a mistake to attempt, simultaneously with the allotment of subjects to the portfolios of popular ministers, to make any fresh discrimination, statutory or otherwise, between the functions of the Imperial and the Provincial Governments. In fact, I would leave this matter exactly as it is left in paragraphs 212 and 213 of the Report. As soon as ministers are established in the Provincial Governments, the Imperial Government will naturally begin, both in the sphere of legislation and in the sphere of administration, to ride the Local Government on the snaffle, particularly in so far as the portfolios of the ministers are concerned. This habit of non-interference will gradually become more and more marked until it develops into a definite constitutional practice. Personally I do not anticipate that it will be necessary at any

stage, either to enact new laws or to frame new statutory rules. If, however, the necessity does arise, we shall have at our disposal a body of ministers from all parts of India who can speak from personal experience of the inner working of the administrative machine. Ten years hence they will know where the shoe pinches: to-day they do not. I therefore think it would be wise to confine ourselves for the present to considering what subjects should be allotted to the portfolios of provincial ministers.

32. The first question which naturally arises is whether there should be any statutory obligation in the distribution of departments, or whether it should be left, as at present, to the discretion of the Governor, guided by constitutional precedent. In Great Britain, as far as I am aware, the Prime Minister has in the main a free hand in the distribution of the departments between members of the House of Commons and members of the House of Lords. There is, or was recently, some customary restriction as to the distribution of "Secretaries of State" between the two Houses. There is also a constitutional practice that the Chancellor of the Exchequer, the Home Secretary and a few other Ministers should be members of the House of Commons: but apart from this the Prime Minister's discretion is unfettered. On the whole, I recommend that the Governor in an Indian province should have a similarly free hand. It will soon become a constitutional practice that certain departments, such as Education, Local Self-Government, and Agriculture, are assigned to the Ministers; but I would deprecate any statutory distribution.

33. I now turn to List II, which contains suggestions regarding subjects suitable for the portfolios of ministers. The first item is "Taxation for provincial purposes." This can be more suitably examined in connection with budget procedure (paragraphs 255-257). As regards the remaining subjects, I agree that, so far as the plains of Assam are concerned, the following departments are quite suitable for the portfolios of ministers:—

- Local Self-Government (No. 2).
- Registration of Births, etc. } (No. 3).
- Village courts } (No. 3).
- Provincial Statistics } (No. 3).
- Education, excluding Collegiate (No. 4).
- Medical and Sanitary (No. 5).
- Agriculture (No. 6).
- Co-operative Credit (No. 7).
- Fisheries (No. 8).
- Charitable Endowments (No. 12).
- Industries (No. 13).
- Registration of Deeds and Documents (No. 14).

I do not suggest that all these subjects should necessarily be made over to the ministers, either on the first occasion or on any future occasion. To begin with, I would probably give them Local Self-Government, Education, Agriculture and Industries. After all, the ministers will be inexperienced in official work and should not be overburdened at the outset. Moreover, the official members of Council—i.e., the officers who were formerly Divisional Commissioners—should be fully employed. It will be noticed that there are certain subjects in List II which I have not proposed to assign to the ministers in Assam. The first of these is "Forests." It must be remembered that a great portion of the forests of Assam lies in the area which is outside the jurisdiction of the ministers. Moreover, even in the plains the forests are in an undefined and undeveloped state. The process of reservation is altogether incomplete. At some future date, when the State has demarcated all the areas which it desires to preserve as State forests it may be possible to assign the "unclassed" or residuary forest to the portfolios of ministers. At present the subject should be excluded, being dealt with by the Governor personally. The next subject which I have omitted is "River Conservancy." I confess that I am not quite certain what this means. If it means the training and dredging of the great water-ways, the subject is certainly unsuitable for a minister's portfolio: it is in fact a branch of "Major Irrigation," and the only question is whether it should be "Imperial" or "Provincial." If, on the other hand—as might appear from the context—"River Conservancy" only means the preservation of rivers from the attention of poachers, the subject will naturally be classed along with "Fisheries." As regards "Public Works," this Department is of such vital importance in an undeveloped province like Assam that I would retain it for a considerable period in the personal portfolio of the

Governor. In so far as roads and buildings may hereafter be transferred from departmental control to the control of local bodies they will automatically come within the portfolios of the ministers concerned. It is in regard to other branches of the department that I suggest that the Governor should retain personal administration. "Excise" is another subject which should, I think, remain in the Governor's personal portfolio. It is a subject of great difficulty in Assam, particularly in its relationship to the tea garden population and to the primitive tribes. In excise administration these tribes are a cause of constant anxiety—both those who remain in the hills and those who come down to the plains, either permanently or on temporary visits. As regards "Preservation of wild birds and animals," "Cruelty to animals" and "Motor vehicles" I would retain them on the Governor's portfolio—unless indeed the minister happens to be a British non-official, or an Indian who is specially interested in those subjects. "Prevention of gambling" is a minor matter, but I cannot see why it should be separated from other branches of "Police." Finally, as regards "Franchise, electoral law and constituencies," I hold most strongly that they should remain permanently upon the portfolio of the Governor. Owing to the importance of this subject it will always be dealt with in full Council. It would be unfair to a minister to entrust this subject to his personal charge and to lay him open to constant accusations of "gerrymandering the constituencies."

34. It is perhaps unnecessary to point out that what I have written in the last two paragraphs is based upon two assumptions—first that no subject connected with any of the hill districts is included in the portfolio of a minister; secondly, that the Government of Assam is a corporate Executive Council constituted on the plan which has been recommended both by the Hon'ble Mr. Chanda and by myself. I have therefore refrained from using the expressions "transferred" and "reserved," which are not strictly applicable to our scheme. We agree in thinking that in all matters the Executive Council should act as a whole. We agree in thinking that the ministers should receive their representative character from a vote of the non-official members of the Legislative Council, and we agree in thinking that (like the President of the United States) they should retain office for a definite period, at the end of which there will be a fresh election. Finally, we agree in thinking that, so far as the work of administration is concerned, the main difference between the departments on the portfolios of ministers and the departments on the portfolios of officials is that the former should be subject in a greater degree to the control of the Legislative Council by the process of "resolutions." Mr. Chanda would, it is true, make that control absolute, while I would only place it upon the same footing as the similar control in the House of Commons. Our point of difference is comparatively slight.

35. As regards the "settlement of disputes," which is dealt with in paragraph 239 of the Report, I agree that in the last resort the decision must lie "definitely and finally with the Governor"; but in the scheme of corporate Government which commends itself to Mr. Chanda and myself it is difficult to see how disputes will arise. In any case the dispute will merely concern the right of "the first perusal of papers and the initiation of orders thereon." This is a comparatively unimportant point, as the final order will be passed by the whole Council.

36. I have already made it clear that the Governor should retain the statutory personal powers which are vested in him by section 50(2) of the Act. Similarly the Governor General in Council should retain his statutory power of issuing orders on any point to a Local Government and of seeing that those orders are obeyed [section 45(1)]. Not only so, but the Governor General should retain his personal power of issuing orders to a Local Government even without the concurrence of his Council [section 41(2)]. I would leave all these provisions on the statute exactly as they are, and I would not weaken them by attempting to define the circumstances in which they should be exercised. The right of "re-entry" or "intervention" will thus be amply secured. I would not, however, vest power (as is, I think, contemplated by paragraph 240) in the provincial Governor and his official colleagues of over-riding their non-official colleagues who happen to be in a majority. The Governor must either take action on the advice of the majority of his Council, or he must take action on his personal responsibility. In cases of the second kind his official colleagues may in fact agree with him, but the responsibility must be his own.

37. As I have already expounded my own proposals for Assam, and have explained how far they differ from the standardized proposals of the Report, I pass over paragraphs 241-246 and come to paragraphs 247-254, which deal with the important question of how best to secure the "affirmative power of legislation." I may say at once that, looking at the proposal in its general aspect, I frankly dislike the

whole scheme of "certificates" and "grand committees." It has some resemblance, it is true, to the system of *senatus-consulta*, by which the Roman Emperors at one time secured their affirmative legislation (Justinian 1-1-5); but this was soon abandoned in favour of the more straightforward system of *principium-placita*. There was no longer any question of packing a subservient Senate to register the Emperor's decrees. He simply exercised the "*imperium et potestas*" which were inherent in his office.—"*Sed et quod principi placuit legis habet vigorem.*" (Justinian 1-1-6). I should like to see this maxim applied, whenever real necessity may arise, to Provincial Legislation throughout India. So far as Assam is concerned, the situation is already clear. By a series of "resolutions in council" the Secretary of State has extended to the whole of Assam the provisions of what is now section 71 of the Act of 1915, and it is contemplated in paragraph 283 of the Report that those provisions shall remain in force. Much of the substantive law of Assam—the Land and Revenue Regulation, the Local Rates Regulation, the Forest Regulation, etc.—has been enacted under these provisions. In this province, therefore, there will be no difficulty in the future, as there has been no difficulty in the past, in securing such affirmative legislation as is necessary. I do not anticipate that the Assam Legislative Council will prove to be an unreasonable body, but if this should ever happen, the bill in question can be withdrawn and submitted to the Governor General in Council under section 71(1) as the "draft of a regulation for the peace and good government of Assam."

38. I now turn to the question of Budget Procedure (paragraphs 255-257). In this matter, as in matters of general administration, my views appear to be in unison with those of Mr. Chanda. The budget will be prepared by the whole Executive Council and the allotment of funds between the different portfolios will be determined as usual by a majority of votes. In extreme cases the Governor will over-ride the majority of his Council by virtue of his statutory powers under section 50(2). Mr. Chanda, I note, has not proposed the repeal of this provision, so presumably he recognises its necessity; but he doubtless agrees with me in thinking that it will seldom be put in force. In almost every year the budget as presented to the Legislative Council will either represent the unanimous opinion of the Governor and his Executive Council or else the opinion of the majority. As regards resolutions on the budget, I agree with Mr. Chanda that they should be binding, or at least practically binding, in so far as they merely involve the transfer of funds from one object to another within the portfolio of a minister. If, however, a resolution relates directly or indirectly to the Governor's own portfolio or to the portfolio of an official member, the matter should immediately be considered at a meeting of the Executive Council and decided in the usual way, either by a majority of votes or (in extreme cases) by the personal prerogative of the Governor.

39. This brings us back to the question of provincial taxation. Several critics have objected to the proposal (paragraph 257) that the odium of proposing such taxation should be thrown entirely on the minister. I sympathize with this objection. I hold strongly that in this, as in all other matters, the Executive Council should act jointly and accept joint responsibility. It has also been suggested that all proposals for provincial taxation should receive the previous approval of the Government of India. Seeing that all such proposals, whether initiated by a private member or by the Governor in Council, must be embodied in a bill, and seeing that I propose no immediate change in the existing procedure by which all bills are first submitted to the Government of India, it will be recognised that I practically accept this suggestion.

40. As regards "upper houses" in provincial Legislative Councils, I am in agreement with paragraph 258 of the Report. They are premature and need not be considered.

41. Similarly, I accept the conclusions of the Report (paragraph 259) in the matter of the relations of the Executive Officers in each province to the new Government which will be established. There will obviously be less difficulty in the scheme which I support than in any scheme of a compartmental nature.

42. As regards future development, I agree generally with the proposal contained in paragraph 260 of the Report. I think, however, that the life of a provincial Legislative Council is at present too short. I would extend it to five years, and I would give the new constitution a fair trial before any fresh systems are proposed. In other words, I would wait until the middle of the second Legislative Council—say seven years from the inauguration of the present reforms. During that time the Governor, the Executive Council and the Legislative Council in each province should be left to work out their own salvation. At any time after the expiry of the seven years

it should be open to the Governor in Council, or to his Legislative Council, or to both jointly, to address the Secretary of State, through the Government of India, requesting that the local system should undergo certain specified modifications. These modifications might relate to the constitution of the provincial government; to the constitution of the provincial legislature; to the distribution of departments among the portfolios of officials and non-officials; to the control of the local legislature over the local government in financial and other subjects; to the control of the Government of India, whether legislative, financial, or administrative; and to any other branch of the local system which appears to be ripe for reform. The Secretary of State in Council, with the help of his "Select Committee," would consider the recommendations of the local authorities and the report of the Government of India and would pass such orders as are suitable. If he sanctioned any important changes, he would fix a period—probably another seven years—during which the province in question should have constitutional rest. It will be seen that I do not propose that it should be obligatory on the authorities of any province to propose changes either at the end of the first seven years, or at the end of any subsequent term of years. If they are satisfied on the whole with the working of the local system, they can wait for longer periods before addressing the Government of India. It will thus, I hope, come about that the constitutional problems of the different provinces are in future considered separately, each at its own time and each on its own merits.

43. It follows from what I have written above that I am not in favour of the periodic commissions which are contemplated in paragraphs 261-262 of the Report. I accept it as constitutionally inevitable, rather than support it as politically beneficial, that the future developments of provincial Self-Government should be subject to parliamentary control and management. I am convinced, however, that such control and encouragement can best be exercised by the Secretary of State in Council, assisted by his "Select Committee on Indian affairs." He would ordinarily perform this work sitting quietly in London, taking up each case as it arises. If, however, the problem of any province presents peculiar difficulties, it will always be open to the Secretary of State, accompanied by a small deputation from his Council and his Select Committee, to visit the province in question along with the Viceroy and the Local Governor and to solve the problem on the spot. I strongly deprecate the proposal for periodic Royal Commissions. I do so for two reasons—in the first place, because they will come at stated intervals, and in the second place, because they will cover the whole of India. I can imagine nothing more unsettling, nothing more subversive of good government, than to know that in a given year the administration of every province will be subjected to a general inquisition from an outside body of unknown personnel. As the year approaches, the task of government will become more and more impossible and the real interests of the people will inevitably be neglected. My second objection to the proposal is that a Commission which attempts to cover the whole of India will only dislocate the administration of each province without acquiring any real knowledge of its local conditions. I would illustrate my objection by pointing out that it has actually been proposed to me that the two committees which are now on their way to India should deal with the case of Assam without even setting foot in the province. I have naturally lodged a protest, but the most that I can hope is that two or three members of each committee will spend a few days among us and will see the outskirts of a province which cannot be studied in less than a year.

44. I now come to Chapter IX of the Report, and as I have never served in the Government of India, I propose to be very brief. I agree (paragraphs 271-272) that the Executive Council of the Governor General should be enlarged, but I urge most strongly that not only the non-official Indian community, but also the non-official British community, should be definitely and adequately represented on the central governing body. As in the case of the provincial executives, I suggest that there should be some non-official members, British or Indian, without portfolios.

45. I agree (paragraphs 273-274) that the Indian Legislative Council should be reformed and enlarged. In a Council of 100, I would have 80 elected and 20 nominated; but I regard it as essential that among the 80 elected members at least 20 should represent the non-official British (and Anglo-Indian) community. Muhammadans, Sikhs, non-Brahmans, and Indian Christians should also be adequately represented. There should be no difficulty in providing direct electorates in the case of the British and Anglo-Indian communities. I have recommended manhood and womanhood suffrage for the British electorate for the Assam Legislative Council. I would recommend a similar suffrage, with a minimum age of 45, in the case of the British electorate for the Indian Legislative Council.

The constituency will thus be limited to voters of ripe experience. In the case also of Indian Christians it will perhaps be possible to arrange a direct electorate, but I agree that, generally speaking, we are almost compelled to resort to indirect election and that the non-official members of the Provincial Councils provide perhaps the most suitable field. I strongly urge that Assam should elect at least three members, one Hindu, one Muhammadan, and one Briton.

46. As regards nominated members, parliamentary Under-Secretaries, independence of official members and selection of the President, I find myself in agreement with paragraph 275.

47. For the reasons given in connection with "Grand Committees" in provincial legislatures I dislike the whole scheme of a "Council of State" (paragraphs 276-284). On the other hand, I am attracted by the proposal for a Privy Council (paragraph 287). In Great Britain, as I understand, the Cabinet is theoretically nothing more than a working committee of the Privy Council. I should like to see it similarly recognised that the Viceroy's Cabinet is a working committee of a larger body known as the Indian Privy Council. In times of emergency, particularly when the Viceroy feels called on to take strong executive action, it is most desirable that he should have a body of wise men from each and all of whom he has a right to seek confidential advice. For example, he may feel called on to overrule the majority of his Cabinet upon a matter of high policy; or he may feel called on to secure affirmative legislation in the straightforward manner which appeals to me. In the latter case he may be acting with the advice or he may be acting against the advice, of his Cabinet. He is almost certainly acting against the known wishes of the majority of his Legislative Council. In such a crisis a prudent ruler will welcome an opportunity of consulting his Privy Councillors. As to the manner of his consultation, I would not restrict his discretion. He should be entitled to consult them singly, or in a body, as he sees fit. In any case the ultimate responsibility will be his own. The members of the proposed Council of State have been described as "Elder Statesmen." I would rather apply the title to the Privy Councillors.

48. I have no remarks to make about "Standing Committees" (paragraph 285) or "Questions and Rules of Procedure" (paragraph 286).

49. From what I have written in regard to Provincial Governments it will be seen that I cannot bring myself to support any proposal for periodic commissions (paragraph 288). The procedure which I have advocated in paragraph 42 of this note will apply, *mutatis mutandis*, to the constitutional development of the Government of India. I cannot see that anything more is required.

50. As regards Parliament and the India Office, I would reserve my final opinion until I see the report of the committee which is mentioned in paragraph 293. Partly, however, because I have been unable to accept the scheme of "reservation and transfer," and partly on general principles, I am at present inclined to think that Parliament and the Secretary of State should not divest themselves, either by statute or by statutory rule, of any of their functions of control. The actual control should gradually become less and less stringent, particularly in the departments which are entrusted to responsible ministers; but the process should be one of constitutional desuetude rather than legal prohibition. As regards the salary of the Secretary of State, I agree that it should be defrayed from Home revenues and voted annually by Parliament.

51. Finally, as regards "Select Committees," I have already alluded to them in paragraph 42 of this note. I would only urge that they should be drawn jointly from both Houses. By this means alone will it be possible to secure the services of *ex-Viceroy*s and *ex-Governor*s of presidencies.

The 24th October 1918.

N. D. BEATSON BELL.

APPENDIX I.

Statement of income and expenditure of the Hill Districts in Assam for the year 1917-18.

Name of district.	Receipts.	Total expenditure.	Deduct.		Net expenditure.
			Secretariat and Heads of Departments.	Assam Rifles.	
1	2	3	4	5	6
	Rs.	Rs.	Rs.	Rs.	Rs.
Garo Hills	2,35,094	2,46,723	...	...	2,46,723
Khasi and Jaintia Hills	3,53,858	24,50,651	14,27,108	...	10,23,543
Lushai Hills	1,05,494	6,38,366	...	3,83,488	2,54,878
Naga „	1,19,689	5,97,573	..	2,86,724	3,10,848
North-East Frontier	58,369	7,85,957	...	3,01,927	4,84,030

APPENDIX II.

Additional Note on the electorates proposed for Assam.

1. In the main note I have explained the general plan on which I recommend that the electorates should be framed. The basis of my plan is the census "house," which is thus defined:—

"A house consists of the buildings, one or many, inhabited by one family; that is, by a number of persons living and eating together in one mess, with their resident dependents, such as mother, widowed sisters, younger brothers, etc., and their servants who reside in the house. In other words the unit is the commensal family, known in some districts as the *khana*, and not the homestead or enclosure."

This conception of a house is familiar to the people, and the census has made it still more familiar. Further, each house has a recognised head commonly known as the *Karta*. My goal is the enfranchisement of all the *Kartas*, approximately 600,000 in each Valley; but for the present I must be content to take about one-quarter of this number, say 150,000 in each Valley. My predecessor proposed to bring the numbers into reasonable dimensions by a somewhat elaborate franchise, based on alternative qualifications. In raiyatwari areas he proposed that payment of Rs. 20 as land revenue should be the standard. In zamindari areas he proposed that the payment of a certain sum as chauthidari rate should be the standard—Re. 1-5 in Sylhet and Re. 1-12 in Goalpara. The payment of income-tax, the enjoyment of a salary of Rs. 50 per month, or a pension of Rs. 25 per month, the possession of a title or decoration, and the attainment of a certain standard of education, were also to be qualifications. I determined, if possible, to get rid of all fancy franchises, and I went for light and guidance to the late Major Jack's remarkable little book "The Economic Life of a Bengal District." He has shown on the basis of house-to-house enquiries and the tabulation of most elaborate statistics that 49 per cent. (say one-half) of the agricultural households in Faridpur are in a state of "comfort" and have an average income of Rs. 360 per annum. As this is an average figure, about one-half of those "comfortable" households may be assumed to have an income of Rs. 360 and upwards, while the other half have an income of something under Rs. 360. In other words if a line be drawn at Rs. 360, about one-quarter of all the households in the district will fall on or above the line, while three-quarters will fall below the line. It is obvious that if we were dealing with Faridpur and were in search of an electorate embracing the "comfortable quarter" of the households no better criterion could be obtained than the tables of Major Jack. I have carefully considered whether it is possible to apply a similar criterion to Assam. From my personal knowledge of Faridpur and my personal knowledge of Assam, I am convinced that the answer is in the affirmative. Seeing, however, that jute is less prevalent in Assam than in Bengal, I would fix the criterion in Assam—subject to exceptions in poorer constituencies—at Rs. 250 per annum. This criterion should apply to all classes of the population, agricultural or otherwise. In particular the labourers on tea gardens should not be excluded. In their case each "separate doorway" in the coolie lines is classed as a "house". In a coolie family the men, the younger women, and the older children, all work. It is therefore by no means uncommon to find that a coolie family, using a separate doorway in the lines, has a joint annual income of Rs. 250. The head of such a family should not be placed in a worse position than the head of any other family, agricultural or industrial. I have already mentioned that there are half-a-million actual workers on the tea gardens. If workers and non-workers be reckoned, and if we add the population which came to Assam as labourers and afterwards settled down as independent cultivators, it may safely be estimated that 1½ millions—say one-quarter of the population of the plains—are either labourers or ex-labourers in tea gardens. Moreover, there is no section of the population which is more vitally interested in legislation, past, present, and future. I am therefore persuaded, and I feel sure that the British non-officials will agree, that the respectable families in the coolie lines should be placed on an electoral equality with the respectable families in the villages.

2. As explained in the main note, I propose that the electoral rolls should be prepared as a "by-product" of the forthcoming census. I readily admit that it will be impossible for the supervising staff of the Census to devote the same meticulous care to the calculation of family incomes as was devoted by Major Jack's trained staff

in Faridpur. But it will be quite possible for each Deputy Commissioner to issue such instructions as will secure the desired object—the earmarking of the most comfortable quarter of the households. The statutory rules should be as simple if possible, but their working should be as elastic as possible. In each district it should be left to the Deputy Commissioner, subject to the control and advice of the Commissioner, to lay down tests in accordance with which the families of each constituency should be “deemed to possess” the necessary income. For example, the test in one place might be the cultivation of 5 acres of land; in another the payment of Rs. 15 as land revenue; in another the payment of Rs. 20 as rent to a landlord; in yet another the payment of Re. 1-8 as *chaukidari tax*. My point is that none of these working tests should be embodied in the statutory rules. They should be left to the discretion of the local officers.

3. Some of my officers have represented that in certain parts of the province the general criterion of Rs. 250 per annum is too high and will not produce the necessary “quarter.” I can well believe that this is so. I therefore propose that even in the statutory rules there should be an element of elasticity. The criterion might be “an annual income of Rs. 250, or in the poorer constituencies such smaller sum as the Chief Commissioner may direct.”

4. An alternative method of reducing the electorate to reasonable dimensions would be to fix a high minimum of age. For example, it might be laid down that the head of every household is entitled to the franchise provided that his age is 50 years. This would probably give the desired result. I admit that this scheme is attractive. It is simple, democratic and impartial; and it secures that in the initial elections the franchise is confined to the wiser and older members of the population. Moreover, the scheme can be justified by the precedent of woman-suffrage in Great Britain. The number of women-voters has been reduced, at least during the first stages of the experiment, by the simple expedient of fixing the minimum age at 35 years. As far as I am aware, all Indians who have discussed the problem of their electorates have assumed that the only possible criterion is property, or taxation, or education. Certainly the simple criterion of age had not occurred to any Indian of my acquaintance until I specifically suggested it to him. I found that the suggestion was generally received as one well worthy of consideration. For the present I only mention it as a possible, and attractive, alternative to the scheme which I propose.

5. What I have written in last paragraph reminds me that there is one point, relevant both to my main scheme and to my alternative scheme, which should not pass unnoticed. I refer to the question of votes for women. Personally I think that when the head of a duly qualified household happens to be a woman—in other words, when the *Karta* is in fact a *Kartri* or *Grihini*—that woman should be entitled to exercise the franchise. In the Valleys of Assam such cases will be comparatively rare, but when the hill districts come to be included in the scheme, the matter will immediately assume great importance. Anyhow, this is a problem which may well be left to the decision of Indians themselves.

6. The accompanying table shows how I would frame the constituencies. In each Valley there will be 150,000 voters returning 15 members, while the racial division will be as follows :—

				Hindus.	Muhammedans.
Surma Valley	...	...	...	7	8
Assam „	...	...	...	13	2
			Total	20	10

As the Hindu voters (203,000) are to the Muhammadan voters (97,000) in the ratio of two to one, so also the distribution of seats has been made in the same ratio. The table, I hope, is practically self-explanatory, but I add a few notes to make it quite clear :—

- (a) The expression Hindu, for the reasons given in the main note, includes not only Hindus of all castes, but also Animists, Ahoms, and Indian Christians. “Non-Muslim Indians” would have been a more accurate, though less convenient, description.
- (b) The North Cachar Hills have been excluded from Cachar, and the Mikir Hills from Nowgong and Sibsagar.

- (c) As far as possible integral districts or integral subdivisions have been taken as the electoral units. The exceptions are indicated by the absence of the words "district" or "subdivision" in column 2 or column 5, as the case may be. For example, the Hindu constituencies of Cachar are called Sadar and Hailakandi, not Sadar Subdivision and Hailakandi Subdivision. This is because it has been found necessary to transfer the Katigora Tahsil, for electoral purposes only, from the Sadar to Hailakandi. Even after this transfer the Hailakandi electorate is rather small: without the transfer the disparity would have been still more marked. Minor transfers of a somewhat similar nature were found necessary in the Hindu constituencies of Goalpara, Kamrup and Lakhimpur, while two of the Subdivisions of Sylhet-Sadar and Habiganj were found capable of sending two Muhammadan members each. Generally speaking, however, the ordinary administrative units have been adopted for the purpose of constituencies.
- (d) The percentages of literacy (columns 4 and 7) are approximate figures. It has been assumed that the standard of literacy among the heads of the "comfortable" households of a particular community is approximately three times as great as the general standard of literacy among adult males in the same community of the district in question.
- (e) No attempt has been made to estimate the distribution of wealth among the different classes of the electorates. The towns, as already noted, are small and unimportant. They contain some professional men, some clerks and some shopkeepers; but broadly speaking the electorates will be made up of cultivators and garden coolies. In neither of these categories is there any marked difference in the distribution of income between the various races. So far as cultivators are concerned, the various races obtain approximately similar incomes, but the Muhammadans are generally more improvident than the Hindus, and the Animists more improvident than either. The coolies as a class, being drawn from the lower strata throughout India, are seldom inclined to frugality or excessive sobriety.

N. D. B. B.

Proposed Electorates.

District (with total population, Hindu and Muhammadan).	HINDU.			MUHAMMADAN.		
	Constituency.	ESTIMATED.		Constituency.	ESTIMATED.	
		Number of voters.	Percentage of literacy.		Number of voters.	Percentage of literacy.
1	2	3	4	5	6	7
CACHAR.						
Hindu ... 314,000	Sadar ...	10,000	47	Whole district ...	7,000	34
Muhammadan ... 156,000	Hailakandi ...	6,000	47			
Total ... 470,000						
SYLHET.						
Hindu ... 1,108,000	Sadar Subdivision ...	10,000	60	North Sadar ...	8,000	23
Muhammadan ... 1,365,000	Sunamganj Subdivision	10,000	60	South Sadar ...	10,000	23
	Habiganj Subdivision...	13,000	60	Sunamganj Subdivision	14,000	22
Total ... 2,473,000	South Sylhet Subdivision.	12,000	60	North Habiganj ...	8,000	22
	Karimganj Subdivision	12,000	60	South Habiganj ...	9,000	22
				South Sylhet Subdivision.	9,000	22
				Karimganj Subdivision	12,000	22
Total Surma Valley ...	7 Hindu Constituencies	73,000	...	8 Muhammadan Constituencies.	77,000	...
GOALPARA.						
Hindu ... 398,000	Dhubri ...	11,000	28	Whole district ...	12,000	21
Muhammadan ... 212,000	Goalpara ...	8,000	28			
Total ... 610,000						
KAMRUP.						
Hindu ... 603,000	East Gauhati ...	9,000	44	Upper Assam Valley	8,000	40
Muhammadan ... 65,000	West Gauhati ...	9,000	44			
	Barpeta ...	12,000	40			
Total ... 668,000						
DARRANG.						
Hindu ... 357,000	Tezpur Subdivision ...	10,000	24	Upper Assam Valley	8,000	40
Muhammadan ... 20,000	Mangaldai Subdivision	8,000	24			
Total ... 377,000						
NOWGONG.						
Hindu ... 232,000	Whole district ...	11,000	39	Upper Assam Valley	8,000	40
Muhammadan ... 16,000						
Total ... 248,000						
SISSAGAR.						
Hindu ... 637,000	Jorhat Subdivision ...	1,000	35	Upper Assam Valley	8,000	40
Muhammadan ... 30,000	Sibsagar Subdivision...	11,000	25			
Total ... 667,000	Goleghat Subdivision...	9,000	35			
LAKHIMPUR.						
Hindu ... 456,000	Dibrugarh ...	12,000	30	Upper Assam Valley	8,000	40
Muhammadan ... 13,000	North Lakhimpur ...	9,000	30			
Total ... 469,000						
Total Assam Valley ...	13 Hindu Constituencies	190,000	...	2 Muhammadan Constituencies.	30,000	...
Total both Valleys ...	20 Hindu Constituencies	203,000	...	10 Muhammadan constituencies.	97,000	...

APPOINTMENT DEPARTMENT.

APPOINTMENT BRANCH.

No. 1636 W.

FROM

THE HON'BLE MR. J. E. WEBSTER, C.I.E., I.C.S.,
CHIEF SECRETARY TO THE CHIEF COMMISSIONER OF ASSAM,

TO

THE SECRETARY TO THE REFORMS COMMITTEES (FRANCHISE).

Shillong, the 9th December 1918.

SIR,

I AM directed to submit 20 printed copies of the note on the present system of election to Municipal and other Local Bodies in Assam asked for in your letter No. 52-Reforms, dated the 16th instant.

I have the honour to be,

SIR,

Your most obedient Servant,

J. E. WEBSTER,

Chief Secretary to the Chief Commissioner of Assam.

**NOTE ON THE PRESENT SYSTEM OF ELECTIONS TO MUNICIPAL AND
OTHER LOCAL BODIES IN ASSAM.**

1. Municipal.—The rules for the conduct of elections in Municipalities are prescribed by Notifications under section 15 of Bengal Act III of 1884 for the different Municipalities. They are all practically the same, except for (Sylhet town) *Nov.*

- (a) Each Municipality is divided into wards, each of which returns one or more Commissioners.
- (b) The qualifications of voters are as follows:—Every male person of the age of twenty-one years or more, who is at the time of election, and has been for a period of not less than twelve months immediately preceding such election, resident within the limits of the Municipality, and who—
- (1) has, during the year immediately preceding such election, paid in respect of any rates imposed by this Act an aggregate amount of not less than three rupees; or
 - (2) has, during the year aforesaid, paid or been assessed to the tax imposed by Act II of 1886 (an Act for imposing a tax on incomes derived from sources other than agriculture); or
 - (3) being a graduate or licentiate of any University, or having passed the Intermediate Examination in Arts and Science or the Final Commercial Class Examination of the Calcutta University, or the corresponding standard of any other University, or holding a license granted by any Government Vernacular Middle School to practise medicine, or holding a certificate authorising him to practise as a pleader or as mukhtar or as a revenue agent, or holding any office or employment carrying a salary of not less than Rs. 50 a month, occupies a holding or part of a holding, in respect of which there has been paid during the year aforesaid, in respect of any rates imposed by this Act, an aggregate amount of not less than three rupees, shall be entitled to vote.

The Koujong and
In the case of Sylhet Municipality *only* the qualification for a vote has been reduced from the payment of Rs. 3 as rates to the payment of *Rs. 1-8-0* in the year immediately preceding the election.

- (c) Any person qualified to vote under the rules, and not disqualified under section 57 of the Municipal Act is qualified to be elected a Commissioner.
- (d) For the purpose of the election a register of qualified voters in each ward is prepared from the Municipal assessment lists and by other enquiries. At least 35 days before the date fixed for the election a copy of the whole register is published, and objections and claims are heard by the Magistrate on some date of which at least 3 days' notice shall have been given, and which shall be at least 10 days after the publication of the register and at least a week before the date fixed for the election.
- (e) At least 30 days before the date fixed for the election the Magistrate issues notices calling for the nomination of candidates. Such nomination must be delivered at the Municipal office within 10 days from the date of publication of the notices; a preliminary list is then published; and after hearing and deciding all objections a final list of candidates is published in each ward at least a week before the date fixed for the election.
- (f) At least 7 days before the date of election a voting paper is delivered to each qualified voter, and must be returned to the Municipal office, duly filled in, on or before the date fixed for the election.
- (g) Each voter is entitled to as many votes as there are Commissioners to be elected for his ward. He may give all his votes to one candidate or may distribute them among the candidates.
- (h) The voting papers returned are scrutinised and the votes counted by the Commissioners at a meeting, and the result is then published.
- (i) Any objections filed within 7 days from the date of publication of the results are decided by the Magistrate. An appeal lies from his decision to the Commissioner, whose decision is final.

The following figures illustrate the state of the franchise :—

(1) Number of Municipalities	14
(2) Total Municipal population	108,499
(4) Number of rate-payers	19,648
(5) Number of voters	8,801

2. *Local Boards.*—(a) Besides Municipalities, there are, in Assam, Local Boards, one for each plains subdivision, which take the place of the District Boards of Bengal. The rules for the election of members of Local Boards are laid down in section I of the Rules under the Local Self-Government Act, of which a copy is reproduced.

SECTION I.—ELECTION OF MEMBERS OF LOCAL BOARDS.

1. The first election of a Local Board under these rules shall take place not later than the 30th

Date of election. November 1915.

Subsequent elections, other than bye-elections, shall be held before the 1st of March every third year.

2. No person shall be qualified to vote at the election of a member or to sit as a member of a General qualification of voters and Local Board unless he :—

- (a) is a male of the age of 21 years or upwards ;
- (b) has his fixed place of abode within the subdivision for which such Local Board has been established ; and
- (c) is a British subject or a subject of any State in India.

Provided that the Chief Commissioner may, subject to the approval of the Government of India, dispense with the qualification prescribed by clause (c) in the case of any person or class of persons.

RULES RELATING TO SPECIAL ELECTORATES.

3. The following shall be the procedure for the election of members by planters :—

- (i) Elections shall be presided over at the headquarters of the district by the Deputy Commissioner of the district and at subdivisions by the Subdivisional Officer, and shall be held on a date to be fixed by the Deputy Commissioner or the Subdivisional Officer, as the case may be.
- (ii) Only superintendents and managers of estates for special cultivation and medical officers with European qualifications in charge of such estates shall be qualified to serve as members of a Local Board.

Note.—“ Special cultivation ” means the cultivation of tea, coffee, cinchona, timber and such other products requiring a considerable expenditure of capital as may from time to time be specified by the Chief Commissioner.

- (iii) Only superintendents and managers of the estates referred to in the preceding clause shall be entitled to vote at an election of members of a Local Board. For the purposes of this rule an assistant manager in separate charge of such an estate may be deemed to be manager.
- (iv) The number of votes to which a superintendent or manager is entitled shall depend upon the area of tea or other special product which he superintends or manages, being as follows :—

Area.	Number of votes.
100 acres or over, but under 500 acres	1
500 acres or over, but under 1,500 acres	2
1,500 acres or over	3

An area of less than 100 acres shall not carry a vote.

If a superintendent exercises his right to vote in respect of the estates under his control, the managers subordinate to him shall not be entitled to vote in respect of the same estates.

- (v) At least two months before the date fixed for the election, the presiding officer shall prepare a list showing the names of the voters in the subdivision, the name and area of each estate in respect of which the voters are entitled to vote and the number of votes to which each voter is entitled.

This list shall be open to inspection at the office of the Local Board of the subdivision.

- (vi) At least one month before the date fixed for the election, the presiding officer shall communicate to each voter in the subdivision the number of votes to which he is entitled, the number of members to be elected, a list of the persons in the subdivision who may be eligible for election and the date of election.

- (vii) Each voter shall be entitled to record the whole or any number of his votes in favour of as many candidates as there may be vacancies to be filled up. He may vote for a less number of candidates, but cannot record in favour of any candidate a greater number of votes than the number to which he may be entitled, or vote for more candidates than there may be vacancies.

Illustration :—X, a voter, is entitled to three votes. There are 6 vacancies to be filled up. He may vote for 6 candidates, giving 3 votes to each, or may vote for less than 6 candidates, giving 3 votes or less than 3 votes to each. He cannot, however, give more than 3 votes to any candidate (even though he only votes for one), or vote for more than 6 candidates.

- (viii) The voter shall forward to the presiding officer his voting paper in a sealed cover so as to reach the said officer before noon of the day fixed for the election.

At noon on the day so fixed, the presiding officer shall, in open court, open and examine the voting papers and declare the names of the candidates who have been elected.

4. (i) The persons qualified to vote at the election of a member to represent persons resident within the headquarters town, shall be the persons qualified to vote at an election of Municipal Commissioners for such town under the provisions of any Municipal Act for the time being in force in such town :

Headquarters Member.

Provided that in headquarters towns where no Municipal Act is in force, or where such Municipal Act, or portions thereof, as may be in force therein, does not confer the right to elect Municipal Commissioners, the following persons shall be entitled to vote at the election of a member to represent such headquarters town on the Local Boards, namely, every male person who is at the time of such election and has been for a period of not less than twelve months immediately preceding such election resident within the limits of such headquarters town, and who—

- (a) has, during the financial year immediately preceding such election, paid a sum of not less than one rupee on account of local rate, assessed under the Assam Local Rates Regulation, 1879, in respect of land situated either wholly or in part within such headquarters town,
- (b) has, during the year aforesaid, paid or been assessed to the tax imposed by the Indian Income-tax Act, 1886, or
- (c) being a graduate or licentiate of any University, or having passed the Intermediate Arts or Intermediate Science examination of the Calcutta University or the corresponding standard of any other University, or holding a license, granted by any Government Medical School, to practise medicine, holding a certificate authorising him to practise as a pleader or as a mukhtear or as revenue agent—occupies a holding or part of a holding, in respect of which there has been paid, during the year aforesaid, a sum of not less than one rupee on account of local rate, assessed under the Assam Local Rates Regulation, 1879.

(ii) (a) In the headquarters towns referred to in the proviso to clause (i) of this rule, the Deputy Commissioner in the case of towns at the headquarters of districts, and the Subdivisional Officer in the case of towns at the headquarters of subdivisions, shall, before the first general election of the Local Board after these rules have come into force, cause to be prepared a register of persons qualified to vote. Such register may from time to time be corrected and added to, as the Deputy Commissioner or the Subdivisional Officer, as the case may be, may direct, and shall be thoroughly revised by him before each election other than a bye-election.

(b) At least six weeks before the date fixed for an election other than a bye-election, a copy of the whole register, showing the persons qualified to vote, shall be published by the Deputy Commissioner or the Subdivisional Officer, as the case may be, at the office of the Local Board.

(c) The Deputy Commissioner or the Subdivisional Officer, as the case may be, shall sit at some convenient place within the headquarters town to hear and decide objections to and claims for, registration of voters on some date, of which at least seven days' notice shall be given, and which shall be at least ten days after the publication of the copy of the register referred to in the previous sub-clause, and at least one week before the date fixed for the election; and such decision shall be final.

(d) The register, as amended by the Deputy Commissioner or the Subdivisional Officer, as the case may be, after the hearing and decision of claims and objections, shall be considered as the final register of persons entitled to vote at the election, and no person whose name does not appear in the register shall be permitted to vote.

(iii) Subject to the provisions of rule 1 in regard to the first election, the Deputy Commissioner or the Subdivisional Officer, as the case may be, shall fix the date on which the place within the headquarters town at which and the hours between which the election or bye-election shall be held: Provided that the date of the election or bye-election shall be published at the office of the Local Board at least one month before the day fixed for the election or bye-election.

(iv) The Deputy or the Subdivisional Officer, as the case may be, shall either himself preside at the election, or shall depute a gazetted officer, not below the rank of an Extra Assistant Commissioner, to do so. The voters shall attend personally at the office and their votes shall be recorded in such manner as the Deputy Commissioner or the Subdivisional Officer may direct.

5. (i) The member representing the mercantile community shall be elected by persons residing within the subdivision who pay income-tax on trading profits under the Indian Income-tax Act, 1886.

Mercantile Member.

(ii) At least one month before the date for the election, which shall be fixed by the Deputy Commissioner in *sadr* subdivisions and by the Subdivisional Officer in outlying subdivisions, the Deputy Commissioner or the Subdivisional Officer, as the case may be, shall communicate to each voter, in the subdivision the date on which, the place at which and the hours between which the election will be held.

(iii) The Deputy Commissioner or the Subdivisional Officer, as the case may be, shall either himself preside at the election, or shall depute a gazetted officer, not below the rank of an Extra Assistant Commissioner, to do so. The voters shall attend personally or, if the voter be a company, by a person authorised by such company to vote on its behalf at the office and their votes shall be recorded in such manner as the Deputy Commissioner or the Subdivisional Officer may direct.

Rural Members.

6. The following shall be the procedure for the election of members of Local Boards by representatives of the rural community :—

(i) Only persons who reside within an electoral circle or who hold in it landed property paying not less than Rs. 50 yearly in land revenue shall be eligible for election by the representatives of the rural community of that circle.

(ii) In areas for which village authorities have constituted the members of such authorities shall form the electorate. In other areas the electorate shall be :—

(a) in the districts of Cachar, Sylhet and Goalpara, *chankidari panchayats*, each member of a panchayat being entitled to vote separately, and

(b) in the districts of Kamrup, Darrang, Nowgong, Sibsagar and Lakhimpur, *gaonburas* of villages.

Two months' notice shall be given of an election, the members of village authorities, panchayats or gaonburas as the case may be, being invited to meet at a certain place within their electoral circle and on a certain date. Those attending shall elect their representative or representatives in the presence of an officer not below the rank of a Sub-Deputy Collector, who shall record the votes in such manner as the Deputy Commissioner or the Subdivisional Officer may direct.

GENERAL RULES APPLICABLE TO ELECTIONS.

7. In the event of an equal number of votes being recorded in favour of two or more candidates all of whom cannot be elected, the presiding officer shall make a selection by lot in such a manner as he may deem fit.

Procedure when two or more candidates have received an equal number of votes.

8. The presiding officer shall then communicate to the successful candidates the result of the election, and shall ascertain if they are willing to serve as members of the Local Board. In the event of any successful candidate declaring his unwillingness to serve as a member, the unsuccessful candidate who receives the largest number of votes shall be held to have been elected.

9. After the election has been held, the Deputy Commissioner in *sadr* subdivisions, and the Subdivisional Officer in outlying subdivisions, shall forward the names of the duly elected members of the Local Board to the Commissioner for publication in the *Assam Gazette*.

Names of elected members to be forwarded to Commissioner.

10. No election shall be invalidated on a point of form, provided these rules have been substantially obeyed, and no election shall be invalidated on account of an irregularity whatever, unless it appears that the irregularity was such as materially to affect the result of the election.

When election not invalidated.

11. (1) No election under these rules shall be valid if any corrupt practice is committed in connection therewith by the candidate elected.

Corrupt practices.

(2) A person shall be deemed to commit a corrupt practice within the meaning of these rules—

(i) who, with a view to inducing any voter to give or refrain from giving a vote in favour of any candidate, offers to give any money or valuable consideration or holds out any promise of individual profit or holds out any threat of injury to any person, or

(ii) who gives, procures or abets the giving of a vote in the name of a voter who is not the person giving such vote.

And a corrupt practice shall be deemed to be committed by a candidate if it is committed with his knowledge and consent, or by a person who is acting under the general or special authority of such candidate with reference to the election.

Explanation.—A "promise of individual profit" includes a promise for the benefit of the person himself, or of any one in whom he is interested.

(3) No person, whether qualified to vote or claiming to be qualified to vote at an election under the Act, shall accept or obtain, or agree to accept, or attempt to obtain for himself or any other person any gratification whatever as a motive or reward for giving or forbearing to give his vote at any such election.

(4) Whoever contravenes the provision of clause (3) of this rule shall, on conviction before a Magistrate, be liable to fine not exceeding one hundred rupees.

(5) Whoever commits a corrupt practice within the meaning of clause (2) of this rule shall, on conviction before a Magistrate, be liable to fine not exceeding five hundred rupees.

Provided that a candidate shall not be liable to a fine on account of a corrupt practice committed without his knowledge and consent by a person acting under the general or special authority with reference to the election.

(6) If any person is convicted of an offence under clause (4) or clause (5) of this rule, he shall, for a term of seven years from the date of his conviction, be disqualified from voting at any election under these rules and from being elected or appointed a member of the Board.

12. The presiding officer shall summarily decide any question which may arise as to the qualifications of voters, the number of votes to which a voter may be entitled, the interpretation of voting papers, the commission of corrupt practices (so far only as the commission of such practices may affect the validity of the election), and generally any question which may arise during the election: Provided that, where the presiding officer is of a rank lower than that of Deputy Commissioner, any qualified voter may, within seven days of the date of the election, file before the Deputy Commissioner a written objection against any proceedings of the presiding officer in the conduct of the election or against any vote. The Deputy Commissioner shall decide all objections preferred under this rule and his decision shall be final.

13. Should the presiding officer or, after an appeal to the Deputy Commissioner under the preceding rule, the Deputy Commissioner find that any election is null and void owing to the commission thereof of corrupt practices, or for other sufficient cause, in such subdivisions the Deputy Commissioner and in outlying subdivisions the Subdivisional Officer shall issue notice, in such manner as he may think fit, upon the electorate concerned to elect another person within such time as may be specified in such notice.

14. No person in the employment or pay of the Local Board shall directly or indirectly engage in canvassing for votes or otherwise assist in the election of any candidate otherwise than by giving his own vote if qualified to do so. Any breach of this rule shall render such person liable to dismissal.

15. The foregoing rules shall, except as otherwise provided therein, apply *mutatis mutandis* to bye-elections.

16. All costs incurred in the preparation of any register of voters, the publication of notices, the holding of elections or in taking any other necessary action under the foregoing rules, shall be payable from the Local Fund.

(b) Briefly, each subdivision or Local Board area is divided into electoral circles, each of which returns one or more rural members.

A candidate must reside in the electoral circle and hold in it property.

The voters are—

(a) Where there is a village authority*, the members of such authority.

(b) Elsewhere.—

(1) in the Surma Valley and Goalpara, the members of the panchayat†;

(2) in the Assam Valley except Goalpara, the gaonburas‡, or official village headmen.

Before an election 2 months' notice is given that an election will be held on a certain date at a certain place within that circle. On that date an officer, usually a Sub-Deputy Collector, attends and registers the votes of such voters as appear.

(c) Besides the rural members, there is in every Board one member for the District or Subdivisional headquarters.

Where such station is a Municipality the voters are the persons possessing the Municipal franchise. Elsewhere there are more or less equivalent qualifications. At present all the headquarters stations except Hailakandi, Mangaldai, Golaghat and North Lakhimpur are Municipalities.

The procedure for election differs from that for Municipal elections, in that voting papers are not required to be issued and a voter must appear in person before the officer presiding at the election to record his vote. There is no special qualification for candidates.

(d) One member on each Board also, representing commerce and industry, is elected by all persons paying income-tax. The date and place of election is communicated to every voter, who must attend in person on the date fixed and record his vote. There is no special qualification for candidates.

(e) In tea-planting districts a substantial number of members are elected by the proprietors and managers of tea gardens, each of whom has 1 or more votes according to the size of his garden.

Each voter receives notice of the names of the candidates and of the number of votes to which he is entitled and sends his votes by letter.

* Vide paragraph (4) for position of village authorities.

† Vide paragraph 8 for position of panchayats.

‡ Vide paragraph 8 for position of gaonburas.

(f) The state of the Local Board franchise is shown by the following figures :—

- (1) Number of Local Boards 19.
- (2) Population of Local Boards about 6,000,000.
- (3) Rural members 85, elected by 10,068 voters.
- (4) Headquarters members 21 elected by 9,065 voters.
- (5) Mercantile members 21 elected by 2,554 voters.
- (6) Tea-planters members 82 elected by 544 voters (in 17 of the Local Boards).

3. *Panchayats*.—The village panchayats represent the attempt made to establish a corporate village life. They are found only in the districts of Cachar, Sylhet and Goalpara. The primary function of the panchayats is to control the chaukidars or village watchmen, but they, or in practice their head or "Sarpanch," do a great deal of useful work. There is usually a panchayat for every 400 to 500 houses, which may be in one or more villages or may form part of a very big village.

The members are elected by general acclamation in the presence of an officer deputed to hold the election, subject to approval by the Magistrate.

4. *Village authorities under the Assam Local-Self Government Act*.—The procedure for the election of members is set out in rule 311 of the Rules under the Act, which is reproduced below. These authorities exist now in only a few localities. In time they will probably supersede the chaukidari panchayats, and cover the whole province :—

SECTION XVII.—VILLAGE AUTHORITIES.

311. (i) Where the Chief Commissioner has directed that a member or members of a Village Authority shall be elected, an informal election shall be held within the village concerned, in the presence of an officer not below the rank of a Sub-Deputy Collector. The dates of elections shall be fixed and the presiding officers appointed in *sadr* subdivisions by the Deputy Commissioner and in outlying subdivisions by the Subdivisional Officer. At the election the presiding officer shall ask the villagers to indicate the person or persons whom they consider best fitted to serve as a member or members of the Village Authority, and their decision shall ordinarily be accepted. In the event, however, of the existence of acute faction or caste feelings, it shall be the duty of the presiding officer to see that the Village Authority contains representatives of the different interests.

(ii) Where the Village Authority is to consist of two members, both elected, or one elected and the other appointed, the presiding officer shall select one of them to be Chairman.

(iii) Where the Village Authority is to consist of more than two members, whether elected or appointed, or partly elected and partly appointed, the presiding officer shall invite the members to select two of their number to be, respectively, Chairman and Vice-Chairman.

(iv) The presiding officer shall decide all disputes on the spot and his decision shall be final.

(v) The Deputy Commissioner shall have power, for reasons to be recorded by him in writing, to disallow the election of any member of a Village Authority, or of any Chairman or Vice-Chairman of a Village Authority, and, in the exercise of such power, may either order a fresh election or appoint any person to fill the place of the member, Chairman or Vice-Chairman, as the case may be, whose election has been disallowed.

(vi) The Deputy Commissioner shall have power, for reasons to be recorded by him in writing, to remove any Chairman, Vice-Chairman or member of a Village Authority, elected or appointed under these rules.

5. Gaonburas are appointed for all permanent villages in the Assam Valley excluding Goalpara district. As a rule, there is one to every 150 families, and their appointment is on the principle of heredity tempered by election, as laid down in the rule under the Land and Revenue Regulation reproduced below :—

144. The appointment of gaonburas shall rest with the Deputy Commissioner, nominations to vacancies shall be made by the villagers concerned, but a nomination in order to be accepted should command a two-thirds majority of those who give an opinion. The Deputy Commissioner may pass over the nominee after recording his reasons for doing so and appoint another man. The Deputy Commissioner may dismiss a gaonbura from office with a similar formality. The election and appointment of gaonburas should be on the hereditary principle, *i.e.*, if the son of deceased gaonbura is fit for office, the election should go in his favour. In the case of *nisf-kharaj* and *ta-kharaj* villages nomination of gaonburas shall rest with the proprietors unless the nominee is plainly unfit.

Shillang,
The 5th December 1918. }

J. E. WEBSTER,
Chief Secretary to the Chief Commissioner
of Assam.

MEMORANDUM FOR REFORMS (FRANCHISE) COMMITTEE.

I am desired to give evidence in regard to the standard of education in the proposed electorates, expressing my own views, which are not necessarily those of the Administration.

2. From the appendix to the Chief Commissioner's note on the Reform Report it will be seen that the majority of the voters in the proposed electorates will be illiterate. A considerable proportion of these, it may be worth while to note, will have attended school, but left before attaining literacy, or, having attained it, will for want of exercise have forgotten what they knew.

Of those who are literate one in every nine or ten will be literate in English.

3. Assuming an average of forty per cent. of the electors to be literate, the percentage of those literate in English would probably be between four and five. The majority will come under the description of 'merely literate' that is, they will be able to read and write simple documents, but no more. In this connection it will be borne in mind with reference to the Surma Valley that the Bengali of the Press and of the platform is not the language of the people.

4. The percentage of literacy is of course highest among the upper castes. Thus, the Brahmin, Vaidya, Kayastha group which numbers about three per cent. of the population, contains 22 per cent. of the total number of literates and 40 per cent. of the total number of those literate in English. If Indian Christians and Kolitas are added, the percentages are 7, 28 and 50. At the one extreme are the Vaidyas, numbering 5,609 with a total literacy of 3,139 and a literacy of 1,331 in English, at the other such castes as the Namasudra and the Patni:—

Caste.	Population.	Literate.	Literate in English.
Namasudra	171,214	3,371	40
Patni	110,858	4,023	91

Intermediate, we have such castes as the Ahoms and the Mahisyas and, behind the scenes, the tea garden and *ex*-tea garden labour force:—

Caste.	Population.	Literate.	Literate in English.
Ahom	192,560	11,652	1,686
Mahisya	63,552	5,218	373
Bhuiyan, a tea-garden caste	56,545	419	11

5. The Muhammadan electorate will of course be less literate than the general electorate. The percentages are:—

Muhammadans to population as a whole	27
Literate Muhammadans to literate population	18
Muhammadans literate in English to population literate in English	12

6. The figures are taken from the census of 1911.

J. R. CUNNINGHAM,
Director of Public Instruction, Assam.

The 8th December 1918.

I.

Note by J. McSwiney, Esq., I.C.S., Director of Land Records and Agriculture, Assam, dated the 27th November 1918, on the preparation of an electoral roll in Assam by the Census Staff.

1. For Census purposes districts are divided, beginning with the smaller units, into blocks, circles and charges. A block is the area managed by a single enumerator and experience has shown that it should average forty houses and should not be more than fifty. These blocks are grouped into Supervisors' circles: generally 10 to 15 blocks, covering 400 to 600 houses are given to one Supervisor. Finally there is the charge which is assigned to a Superintendent and usually contains about 12,000 houses: so far as possible the charge coincides with the administrative unit of a police station in the permanently-settled area and a Sub-Deputy Collector's circle in the temporarily-settled part of the plains: if the number of houses does not exceed 15,000 it is not usual to reduce it. These subdivisions are carefully checked with all available maps and by local enquiries and on their completion house numbering is taken up. At the last Census this preliminary stage was completed on 15th November 1910, and at the next Census will presumably be finished on the same date in 1920 and not in 1919-20 as indicated in paragraph 17 of the Chief Commissioner's note on the Reforms Scheme. The lists of houses should be completed at the same time. It is from the latter that the electoral roll would be prepared.

2. The enumerators of blocks and the Supervisors of circles are, except in unusual circumstances, unpaid local people and the Supervisors are generally men of weight and public spirit: the Charge Superintendents are usually officials, Sub-Deputy Collectors or Police Sub-Inspectors. On the proposed scale of representation the latter officer would be required to select about one quarter of the houses in his charge, i.e., about 3,000 to 4,000. It would, I think, be necessary to associate with him and the Census staff a representative or two from each village: otherwise, apart from the local knowledge of the Charge Superintendent and the Supervisor, the nomination of voters would rest with the enumerators. It should, however, be quite easy for the Charge Superintendent, who should be continually on tour in the villages in his area for the purpose of checking the progress of enumeration, to consult the leading men of each village and, if necessary, to hold for this purpose a meeting of representatives from each Supervisor's circle, including the enumerators, from the knowledge so acquired he should be able to complete a list of voter *karttas* which should be particularly correct and could be published for information in each village and for objections to its accuracy. Even if no criterion other than that of gross income were prescribed, the above procedure would, I think, supply a very fair method of arriving at the result desired. If in addition to this, the income criterion is modified by the payment of a certain amount of land revenue, rent, *chaukidary* or other tax, as suggested in paragraph 2 of Appendix II to the Chief Commissioner's note, the approximation to accuracy should be very close indeed, as receipts for the amounts paid would usually be indisputable evidence of the fact.

Once the list of voters is prepared it should not be difficult to maintain it, if the people are eager to secure a vote, by a triennial or quinquennial revision, at which objections to the existing register would be received and in any case there should be a complete revision at each Census.

II.

Note by J. McSwiney, Esq., I.C.S., Director of Land Records and Agriculture, Assam, dated the 27th November 1918 on the Assam Hills District from an ethnographic point of view.

1. In the Indian Census Report, in addition to the administrative units, such as districts, subdivisions, etc., provinces are divided for statistical comparisons into homogeneous tracts: Assam has thus been split up into its physical subdivisions of the two valleys of the Brahmaputra and Surma and the large block of hills, which make up the rest of the province. In the subsidiary tables to each chapter of the Census Report, which usually contain proportional statistics, each of these three divisions is shown separately and it is thus possible to indicate at once their statistical differences. In the Chief Commissioner's note the Mikir Hills in Nowgong and Sibsagar districts are shown separately, but are included in their respective plains districts in the Census Report, while the North-East Frontier Tract was created as a separated entity in 1912 and hence does not appear in 1911 Census Report.

Besides the Census statistics there is an excellent series of ethnographical monographs published by Government on most of the tribes inhabiting the hill districts and there are the annual administration report of the officers in charge of them. There can be no doubt in the mind of any one who has read the above or has visited the localities that the hills people are in such a backward stage of development that they require separate treatment from the plains of the province. They are different from the people of the plains in race, religion, customs and language. And further, apart from a general resemblance in the religious beliefs of Animism or nature worship and the fact that they all belong to a Mongolian strain in race, they differ from one another in other respects as much as they are all distinct from the people of the plains.

2. In a short note of this kind it is impossible to enter into ethnographical details, which are collected in the monographs referred to above, but a few general statistics taken from the last Census Report will probably show the need for a differential treatment of the hill districts.

(1) *Religion*.—In the province as a whole in 1911 there were 5,437 Hindus, 2,693 Muhammadans and 1,755 Animists in every 10,000 of the population. In the Brahmaputra Valley the numbers were 7,014, 1,143 and 1,734, in the Surma Valley 4,771, 5,166 and 53, respectively, while in the hills there were 6,790 Animists, 2,523 Hindus and only 251 Muhammadans. The figure for Hindus in the hill districts is greatly exaggerated by the comparatively recent converts in North Cachar and the accession of the people of the Manipur Valley a couple of centuries ago. The figures for Muhammadans must be discounted by the fact that the Garo Hills contain a long circular strip of plains inhabited mainly by Muhammadan settlers from Mymensingh, which lies over the border in Bengal. But even without taking these deductions into account it is clear that the prevailing form of religion is Animistic, *i.e.*, the Nature or Demon worship of the primaeval man.

(2) *Sex*.—It has been fairly conclusively proved during the last Census that the supposed concealment in India of the existence of females was a myth and that, as a matter of fact, the excess of males found in India at each successive Census is probably more normal than the excess of females in the west of Europe. Assam contains 940 females per 1,000 males in actual population and 963 in natural population, *i.e.*, population excluding immigrants, who come mainly to tea gardens. In the plains this proportion holds generally, but in the hills there are 1,026 females per 1,000 males in actual and 1,040 in natural population: with the exception of the Garo Hills, where the proportion is vitiated by the inclusion of the plains strip, there are more females than males in every district and amongst the Lushais the proportion is 1,120 per 1,000 males in actual and 1,159 in natural population. It is hardly necessary to add that there is no seclusion of females in any hill district.

3. *Civil condition*.—The general prevalence of child marriage, which is a peculiarity of Indian conditions, appears in the Surma Valley: but in the Brahmaputra or Assam Valley the existence of the Animistic population and of tribes not long converted to Hinduism tends to maintain a more mature age for the marriage of girls. The latter tendency is still more apparent in the hills. Taking the critical age of 10—15 there are per 1,000 males 672 unmarried females in the Brahmaputra Valley,

only 430 in the Surma Valley—and no less than 900 in the hills. Another point which bears on this subject is that matriarchy or heredity through females is the prevailing system in the Khasi and Jaintia Hills and the Garo Hills.

(4) *Literacy*.—Education is most advanced in the Surma Valley, where 55 per mille are literate : in the Brahmaputra Valley the proportion is 47, while in the hills it is as low as 27 and would have been much lower but for the literacy of the Christians in the Khasi and Jaintia Hills, where the proportion is the same as in the Surma Valley.

(5) *Language*.—Assamese and Bengali are the languages of the plains, the former being confined to the Assam or Brahmaputra Valley. Out of 10,000 people in the Province 2,171 speak Assamese and 4,563 speak Bengali, leaving 3,261 for other languages, of whom 610 people speak Hindi. In the Brahmaputra Valley over 49 per cent. of the people use Assamese and in the Surma Valley over 86 per cent. use Bengali. In the hills only 21 people out of 10,000 speak Assamese and only 233 speak Bengali : the latter proportion is exaggerated by the plains population of the Garo Hills. The Hindi speaking population of the hills, 62 per 10,000, are mainly sepoys, so that 9,684 persons out of 10,000 speak tribal languages. Into the diversity of the latter it is unnecessary to enter here.

A.

REFORM SCHEME.

Committee on Franchise and Constituencies.

Memorandum of subjects on which the Hon'ble Mr. W. Mason is prepared to give evidence, as representative of the Surma Valley Branch of the Indian Tea Association.

(1) That Assam should be left out of the scheme, there being practically no "intelligentsia" in the Province: it being difficult to get suitable members for the existing small Council, and there being practically no demand for Political reforms. That the number of people, who could even read a Voting paper is so small that direct representation would be a farce.

In addition to these difficulties, there is the diversity of languages, two-thirds of the area of the Province being hills, inhabited by entirely illiterate and primitive races, with no material on which to found political institutions.

(2) Provided Assam is included in the scheme:--

Payment of Land Revenue is the only basis on which, I consider, the franchise should be framed.

(3) If any increase in size of Council is decided on European representation to be enlarged in proportion to their stake in the Province. Representation of Tea Association Branches to be increased by 1, giving two representatives to each Valley.

In addition 4 representatives to be elected by the European Electorate, every European paying income-tax to have a vote.

(4) The Tea Industry to have one member in the Council of State and one in the Legislative Assembly.

W. E. D. COOPER,

Secretary, Surma Valley Branch, Indian Tea Association.

MEMORANDUM OF POINTS AND SCHEME TO BE PLACED BY THE
NOMINATED WITNESS OF THE AHOM ASSOCIATIONS BEFORE THE
FRANCHISE COMMITTEE.

I.—CLAIMS OF THE AHOM COMMUNITY TO SPECIAL REPRESENTATION IN THE PROPOSED
ENLARGED PROVINCIAL LEGISLATIVE COUNCIL THROUGH SPECIAL COMMUNAL
ELECTORATES.

The Ahoms are Shans belonging to the great Tai family of the human race. They invaded the country which now goes by their name (Assam) in 1228 A.D., subjugated the various races inhabiting the country including the Barahies, Morans, Chutias, Kacharies, Khasias, and other neighbouring hill tribes and ruled over a greater part of this Province with the help of a State Council and a popular assembly for about 600 years up only to 8 or 9 decades ago, when it passed into the hands of the benign British Government to which they have all along remained devoted and loyal. Militarily they have a glorious past and they successfully repelled a series of Moslem invasions even at the zenith of the Moslem power and instances which are very rare and unique in the history of the whole world, are not wanting of even their ladies leading hordes of armies to victory. But unfortunately the sequestration of their *paiks* and emancipation of their slaves who carried on cultivation for them—the only means of their subsistence even at the very inception of the British rule without any compensation, and the most inadequate provision by way of stipends and pensions to only a handful, overlooking the claims to them of a deserving host of the aristocracy who had been rendered destitute by the indiscriminate plunder and ravages by the Burmese, reduced the upper classes from a position of affluence to that of abject indigence. Crippled already by the ravages, brutalities and plunder of the Burmese, the loss of perquisites and sundry privileges including the right of holding a certain amount of land rent-free, rendered the condition of the general mass of the Ahom population still more pitiable. Thus fallen from a position of dominance and sufficiency the Ahoms were stunned in their utter helplessness and were unable to accommodate themselves to altered circumstances ushered in by the British mode of Government for a considerable number of years and were outstripped by the other races of the Province—the result being that they are now admittedly the most backward community in the Province—socially, educationally, economically and industrially. It is only a few years back that with the fostering care of the paternal British Government, the Ahoms—some of whom are Hinduised, others still retaining their ancient customs—have realised their condition and have made a little progress in education. Thus in their present circumstances and in consideration of their being a minority in this Province, they can hardly successfully contest for and obtain a seat in the Provincial Legislative Council through the general electorate. Thus the principle underlying the grant of special representation to the Mahomedans through their own electorates in the Council, is rightly applicable to the case of the Ahoms who, I may be permitted to say, have even better claims to special representation than the Mahomedans. Notwithstanding the opinion of the illustrious Authors of the scheme who seem to have failed to grasp the real situation and condition of the country, the time is not yet ripe to do away with Communal representations in respect of at least certain communities like the Ahoms. I do not dispute the proposition that general electorates are the natural machinery for a homogeneous nation but this country is not a homogeneous nation and the proposition can hardly apply to it. This has been recognised by a host of politicians both Indians and Europeans who have actual experience of the condition of this vast country and even in the last debate in both the Houses of the British Parliament, many a member have ranged themselves to this opinion. There is no fear so far as this province is concerned that the communal system will split this Province into so many jarring elements and will stereotype the existing relations, as there is no other community which has such strong special claims to communal representation as the Ahoms. In its present circumstances, this Community cannot but think it unsafe to leave its interests in the hands of the other advanced fellow-countrymen who from the vantage ground are free to use their powers for their own purposes and whose interests may, not likely in many cases, clash with and be antagonistic to those of this Community. To deprive this Community of its own representatives in the Provincial Legislative Council which has been proposed to be enlarged to meet the requirements of and to up-lift all people in the onward march to the goal of "Swaraj" to look after and safeguard its interests, will tantamount to setting a pigmy to fight with a giant which spells utter ruin and disaster.

to the former. I may be permitted to say also that communal representation is indispensable for some time to come. It is not merely a means for securing the representation of minorities and backward classes but is rather a device for avoiding conflicts between communities at election and is designed to prevent election from being contested solely upon a racial or communal issue. I admit, it cannot of course cure deep-seated animosities but it does minimise the opportunities for venting them and by eliminating one cause of friction give them a chance of dying down. Far from ranging the communities into hostile camps and keeping sectional animosities alive, communal representation nips in the bud at least some causes of conflict and ushers in amity and co-ordination. No more convincing proof of this can be found than in the good relations which now exist between the Congress and the Moslem League. It is a glaring fact that before 1909 the political atmosphere of India was full of Hindu and Mahomedan quarrels. But since Lord Morley wisely accommodating himself to the fact on Indian life, gave to the Mahomedans separate representation, opportunities for conflict between these two communities have, as if magically, vanished and the most hopeful epoch of co-operation between the Hindus and Mahomedans has been inaugurated. Should the Government stick to the idea that special electorates for backward communities are subversive of all principles of self-government, my Community begs most humbly to state that it is quite prepared to forgo the privilege of separate special election when it will be sufficiently trained and strong as to be able to stand on its own legs without it and which, it will be the duty of the periodical Parliamentary Commissions to decide. Till then, my Community strongly urges on this august Committee and through it on the Government to provide special representation for the Ahoms in the proposed Council and my Community trusts that by the term of reference No. 3 to it, this august Committee is fully authorised to do. I beg to say with all the emphasis I can command that the deprivation of special representation to this minor and backward community will permanently relegate it to the back-ground and as such its case should receive just and due consideration at the hands of this august Committee.

In asking for special representation for the Ahom Community in the enlarged Council I would venture to say that the representation should be by election by Ahom electorate. My Community regards nomination as defective and ill-suited to meet our case. A nomination is not the same as election and the nominated member may not be the fittest person to represent the Community to which from his peculiar position he cannot be made accountable, while in the case of an elected member the Community has always a potent check upon him. Election has this advantage over nomination that it has the most salutary educative effect on the communal electorate or constituencies which is utterly lacking in nomination and which is of paramount importance and is imperatively necessary to awaken, uplift and train apathetic constituencies, thereby helping them on the onward march to the goal, *i.e.*, the attainment of the complete self-government under British control a consummation which the authors of the scheme have in view and which the people devoutly wish for. It is therefore highly desirable that the spokesmen of the community should be men of the community and be elected by the community. The illustrious Authors of the scheme prefer nomination to communal system on the ground that it can be more easily abolished when the necessity for it ceases. But as the Ahom Community has solemnly bound itself to forgo the privilege of special communal representation when it will be able to do without it as said above, it sees no difficulty why nomination cannot be substituted by communal system in view of the fact that the latter on account of its educative value on the constituencies and of its having a potent check upon the representative, has immense advantage over the former.

Lastly, I am afraid that I cannot countenance the proposal of having a certain number of seats reserved to this minor and backward community in plural constituencies as better expedient than either communal electorates or nomination. I need not dilate upon the grounds for holding this humble opinion as the grounds stated above in support of communal electorate abundantly apply against such a course. There is no guarantee that the elected member by the plural constituencies, unless they sail with us, will be the fittest man and the man of our choice. There is every risk of our being out-voted. Suffice it to say, that in the present circumstances of this Community no other expedient that can be devised, can equal communal electorate.

II.—FRANCHISE, ELECTION AND COMMUNAL ELECTORATES FOR THE AHOMS.

The right of voting is the indefeasible right of every human being and any limitation of the franchise tends to curtail his legitimate right. But it has been desired by the authors of the Reform scheme that there should be restrictions and that the limitations of the franchise should be determined rather with reference to practical difficulties, so that inordinate extension of the franchise might not lead to a breakdown of the machinery through sheer weight of numbers and it is further desired that the same should be as broad as possible. Keeping these points in view I would base franchise on a certain degree of education, amount of income and property only. I must confess that my scheme is not perfect but as there is no other scheme that appeals to me as more perfect, I am, under the limitations imposed, perforce led to accept this scheme. The qualifications of Mahomedan electors as given in Rule No. 3, Schedule IV of Regulation II, disqualifications imposed by Regulation VI and qualifications of candidates set down in Regulation V of the Indian Councils Act, with suitable changes to suit its conditions, will do for the Ahom Community. We prefer these rules which guide the Mahomedan Community for returning their members, on the ground that the election thus secured, is direct without any intervening medium or media and is purged of the unreality that characterises the existing councils. It brings in a sense of responsibility for the representative and he feels that he stands in a direct relation to the original voters and that he is accountable to them. Indirect election has rightly been condemned by the authors of the scheme and where possible steps should be taken to sweep it away. With this preface, I would hold the following persons as qualified for exercising the franchise —:

(a) Holders of titles recognised by Government; (b) Kaiser-i-Hind medalists; (c) Members of the Order of Star of India or the Order of the Indian Empire or any other Orders; (d) Fellows of the Calcutta University; (e) Graduates of any University in the United Kingdom or British India; (f) Honorary Magistrates; (g) Matriculates and Under-graduates; (h) Teachers of schools including Pathshala Pandits (i) Mauzadars, Mandals and Gaonburas; (j) any other officers drawing a salary of Rs. 50 per mensem; (k) Proprietors or Landholders paying land revenue and local rates in respect of their estates or shares of estates to the extent of not less than Rs. 20 per annum; (l) holders of pensions of not less than Rs. 20 per mensem; (m) Income-tax assesses.

Provided that no elector shall have more than one vote though he may possess more than one of the qualifications described above.

I have reduced in the case of the Ahoms, the property and educational qualifications set down for the Mahomedans (in whose case payers of land revenue of Rs. 50 and upward and graduates and teachers of High School and Madrassa and persons holding certificates of Madrassas are qualified voters) on the ground that the condition of the general mass of the Ahom population, is worse than that of the Mahomedan brethren. It is also the view of the noble authors of the Reform Scheme that owing to unequal distribution of population and wealth it may be necessary to differentiate the qualifications for a vote not merely between provinces, but between different parts of the same province. I may be permitted to say that such is the condition of the Ahoms that the number of voters possessing the above qualifications will not be so large as would render the task of preparing and maintaining an electorate roll unwieldy and impracticable, though it may strike the Hon'ble members at the first sight to be so. A survey and detailed enquiry into the economic conditions of the Ahoms, will, I trust, convince the authorities of the truth of my statement and this is why it warrants a provision for separate electorates for this minor and backward community.

The total Ahom population in the Province according to the last Census, is 1,97,000, of which roughly 66 per cent. of the number was censused in Sibsagar and 33 per cent. in Lakhimpur and the rest distributed in the districts of Nowgong, Darrang, Kamrup, Goalpara and Cachar. But I cannot accept the Census figures as quite correct, for it is a fact that a good number returned as Chutias in the past Censuses are really Ahoms and consequently their number is considerably larger than what has been censused. On the face of it the distribution of Ahom population in the several districts is unequal. Notwithstanding this, I would base the electorates on the territorial basis which is also the desire of the illustrious authors of the Reform Scheme. To come to the point, the conditions and as a matter of fact, the requirements of the Ahoms demands 3 representatives—one for Sibsagar, one for Lakhimpur and the third for the remaining districts irrespective of the number of populations. Each of the districts of Lakhimpur and Sibsagar may be allowed to return one member and the

other districts jointly to return another, my community trusts and ardently prays that the Government, on account of its backwardness, would provide rooms for 3 of its representatives in the proposed expanded Council. To secure this and also to facilitate the attendance of the voters, I would suggest every subdivisional headquarters to be made the polling stations. Electorates and polling stations should be established accordingly. To guard against malpractices, elections should be by ballot. The strength of the existing official and non-official agency available for electoral purposes in Assam is quite sufficient and no difficulty is likely to be experienced in carrying on the work. I may also say that there is little danger of impersonation to be apprehended in case of our community. As to the adjudication of electoral petitions the existing method and agency is quite adequate and no innovation appears necessary. Lastly should the Committee be of the opinion that the paucity of the Ahom population in the districts other than Sibsagar and Lakhimpur does not justify the provision of a third representative to us, I would suggest the alternative scheme of giving us a general Ahom Electorate for all the districts inhabited by our people with the right of electing on the basis of the qualifications of voters stated above, 2 representatives instead of 3. Short of this number will never meet our requirements and I hope this august Committee will provide this number to us in the proposed enlarged Council.

III.—SCHEME FOR THE COMPOSITION OF THE ASSAM PROVINCIAL LEGISLATIVE COUNCIL.

At the outset I must confess I am not an advocate for introducing the Reform Scheme into the several Hill districts, by reason of the fact that the various tribes inhabiting them, are almost in the primitive state and education has hardly made any headway among these children of nature. A patriarchal system of Government in their present condition, is all that is needed and any improved system of popular Government to them is at present out of question.

The existing Council needs expansion but the subject of remodelling and enlarging it, while most vital, presents not a little difficulty. The present constitution of the Council is inadequate and faulty, as it does not meet the requirements of the various sections of the heterogeneous population and interests. As at present constituted, it is composed of 24 members, of whom only 11 are elected and 13 nominated and of the latter only 4 are non-officials and 9 officials. Clearly, there is a preponderance of the nominated over the elected members, which is a weak feature and which I am glad, is intended to be remedied in the enlarged Council and I would at once venture to say that in the proposed Council, not less than $\frac{2}{3}$ of the members composing it, should be elected. The principle followed in nominating the non-official members, is best known to the Government whose prerogative it is, but in the opinion of my Community, it might be regulated more advantageously in the interests of the communities which are sorely in need of representation and which at present go practically unrepresented. In the first Legislative Council of this Province, one member of my community found a seat by nomination but in the existing Council, this backward community is thoroughly unrepresented. The number of elected members is filled up as follows :—

By the Local Boards	...	...	...	...	2
" Municipal Commissioners	...	...	...	...	2
" Land holders	...	...	...	...	2
" Mahommadan Community	...	...	...	...	2
" Planting Community	...	...	...	...	3
					—
			Total	...	11
					—

The figures given above shows at a glance that the claims of the Ahoms for a seat have been totally ignored and I trust their grievance will be removed by the Government through the intervention of this august Committee before whom I now stand. The Local Boards which look to the welfare of the general mass of population are not at all adequately represented. There are 6 districts with 12 Local Boards in the Brahmaputra Valley and 2 districts with 6 Local Boards in the Surma Valley and each valley returning only one representative. The position of such a member and his relation to the general inarticulate mass are therefore peculiar. There are several intervening media and loose links between the mass and the so-called representatives. Further, the system of returning certain percentage of members through the electorates of the gaonburas to the Local Boards is erroneous and quite faulty. It is not the mass of the population but the gaonburas who enjoy the vote on the assumption that they are the elected representatives of the villagers, but general

concensus of the public opinion is that the term 'gaonburas' is rather a misnomer. He is not necessarily the accredited headman of the village or villages within his ambit. The post has little attraction to the educated and respectable sections of any community and it is hereditary. A young man in his teens is also a gaonbura by right of succession to his father though his predecessor might have been once selected by election at which better section hardly stood candidate. It is not too much to say that a majority of the gaonburas is illiterate, unscrupulous, is not free from temptations and corruptions and has very little influence on the villagers. Imposition of hundreds of duties—some of which are humiliating—on the gaonburas who have to dance attendance at the camps of the touring officers ministering to their wants and comforts, submitting meekly to the caprices and vagaries of and sometimes to indignities by the officers whose members are legions—all in consideration of the remission of the land revenue of Rs. 8 a year, which the post entails, precludes the qualified, literate and self-respecting sections of the people from aspiring to the so-called "headship." His position is almost analogous to that of a village *Cohwkidar* in Bengal. Yet the strangest of the strange things is that such a man is an elector of a certain number of members to the Local Boards in the plains of my valley! Such a scandal—if I may be permitted to use the word—in the election of agency for the purposes of Local Self-Government should be forthwith swept away and I think that the subject has engaged the attention of our Provincial Government. Once this scandal is purged away from the system of election to the Local Board by direct method of election on the principle of as broad a franchise as possible, similar to the one suggested by me for returning a representative of our community to the Council, providing also seats for all interests and minor backward communities, I would advise the august Committee to make room in the enlarged Council for one representative to represent each district returnable by the Local Boards in it. Sylhet being the biggest district containing 4 subdivisions and 4 Local Boards may have an additional member. I confess that even in this Scheme election is indirect which it is desirable to avoid. An alternative scheme that may be devised and that occurs to me, to give it a semblance of direct election is this:—the electorates for returning members to the Local Boards should also be electorates for and be allowed the right of electing a member to the Council, but such member should already be a non-official Local Board member holding a seat in the Board continuously for at least 3 years. Such a method would go a good deal to improve the tone of the Local Boards giving greater zest and earnestness to the members to work whole-heartedly for the amelioration of the condition of the people, improvement of communications, education and sanitation, etc., and will give a healthy hold to the mass on their representatives. I would not go much to dilate on the comparative merits of the above two schemes. Suffice it to say, that the members of the Local Boards are an intelligent group of responsible persons experienced and trained in the art of Self-Government and are sure to return the best of their comrades to the Council. On the other hand, the alternative scheme laid down, while imparting a healthy tone to the Local Board is only capable of adoption only when the general mass of the people will be sufficiently politically awakened and trained and will be able to judge the best for itself and be above all extraneous influences and temptations. As we must proceed very cautiously, I would commend in the present circumstances of the country, the first scheme to the notice of the august Committee for adoption in the first instance, though the election is rather indirect. Replacement of the first by the second method should only be a question of time. Lastly, I would say that the election should be made by the votes of the members other than the (a) Chairman if an official and (b) Officials appointed by name or *ex-officio* to be members. The number of votes should be regulated by the ordinary income possessed by each Local Board as under the existing rules.

There are several grades of Municipalities in Assam—some called Unions and Stations constituted under the altogether obsolete Bengal Act V of 1876 and first-class and second-class municipalities constituted under Act III, 1884 (B. C.), which is also out of date. But I am glad that a bill called Assam Municipal Bill, is already on the anvil to provide municipal legislations to suit the present condition of the towns, drawing from more modern enactments in force elsewhere and also in the light of the recent review of the Municipal policy by the Decentralisation Commission, and the Government of India.

There are 13 Municipal institutions in the Assam Valley Division which jointly elect only 1 member to the Council, while 6 such institutions in the Surma Valley return the second member. The number, I would say, is hardly adequate and, in my humble opinion, the number should be raised to 4. A group of municipalities in

2 districts should be given the right of electing a member each. Thus the districts may be grouped as follows:—

Lakhimpur and Sibsagar (Upper Assam)	1
Nowgong and Darrang (Central Assam)	1
Kamrup and Goalpara (Lower Assam)	1
Sylhet and Cachar (Surma Valley)	1
Total	4

The members elected must be non-officials and election should be made by the votes of the members other than the Chairman, if an official, and officials appointed by name or an *ex-officio* of the Municipalities. The number of votes which the Commissioners of each Municipality shall be entitled to give, should be regulated by the local income possessed by it according to the existing scale. In suggesting the increase of members to be returned by the Local Boards and Municipal electorates, my reason is that they are the institutions which train the people in the arts and secrets of self-governments sobering them down into the true and right conception of the civic rights and privileges and limitations and they are the institutions representing the general mass of population and the members returned by them are eminently qualified and are verily valuable assets to the Provincial Legislative Council. I have not equalised the numbers to be returned by the Local Boards and the Municipalities, simply because the latter are more restricted in area than the former.

I would not propose any increase to the number of members for the landholders in the proposed Council. The existing number is quite adequate. The paucity of number of such landholders and zemindars enjoying the privilege under the existing rules which require no alteration does not justify any increase. I would commend the system of election as at present rather than nomination.

The Planting community at present returns 3 members—each valley returning one and in addition another representative by rotation. This seems to me not insufficient, but as the community has important interests at stake, and also indirectly represents the whole labour force whose interests—I must admit—is in cases quite adverse to it and as the Council is going to be expanded, this number will not satisfy it and my community will not grudge an additional number to it, so that each valley will be in a position to return 2 members at a time. Further addition is not justifiable as there is the possibility of its having the whole force of the official members at its back who will presumably sympathise with it, and will lend support to it in any emergent case affecting its interests. I would commend election rather than nomination of its members.

The question of settling the numbers of representatives to be returned by the Mahomedan community presents a most difficult and arduous task. My humble suggestion in regard to this, must be subordinated to the aspiration and view of this community, provided they are just and do not do injustice to the other communities. Their total strength in the province is 1,875,155: but the number is quite disproportionately distributed in the several districts and the two valleys—the Surma Valley, showing an aggregate population of 1,520,835. I would give here a statement from the last Census Report showing the distribution of Mahomedan and Hindu population in each of the plain districts of this province.

Brahmaputra Valley.

Districts.	Total population.	Mahomedan population.	Hindu population.
1	2	3	4
Lakhimpur	468,989	18,419	367,990
Sibsagar	629,290	29,718	595,266
Darrang	377,314	20,305	245,341
Nowgong	398,596	15,689	177,795
Kamrup	667,828	64,627	459,227
Goalpara	600,643	211,562	334,720
Total	3,117,660	355,320	2,171,339

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Surma Valley Districts.

Districts.	Total population.	Mahomedans.	Hindus.
1	2	3	4
Sylhet	2,471,671	1,364,789	1,099,950
Cachar	497,463	156,096	320,104
Total	2,970,134	1,520,885	1,419,054
Grand Total	6,087,794	1,876,155	3,890,393

The above figures will show at a glance that in the Surma Valley the Mahomedan population is in excess of half the Hindu population by about one lakh, but the aggregate Mahomedan population in the 6 districts of the Brahmaputra Valley is roughly $\frac{1}{2}$ of the Hindu population in it and $\frac{1}{2}$ of the total strength of the Moslem population in the other valley. The total population of the whole Mahomedan Community is only a little more than one-half of the total Hindu population of the 2 valleys. In my humble opinion these points must be borne in mind in suggesting and working out the number of representatives this community may be allowed to elect for the proposed enlarged Council. No separate electorate for the Hindus like that of the Mahomedans is intended to be provided and they are left to the chances of their being returned by the Local Boards, Municipalities and landholders, but it must be borne in mind that these electorates should and will make no discrimination as to the religion of the candidates, i.e., whether the candidates are Hindus or not. It is certain that a certain number of Mahomedan brethren will be returned by these electorates as their representatives. That being so, fixity or any hard-and-fast reservation of a certain number of seats for their representatives through their own electorates, is unworkable and cannot be advised. Should the electorates other than Mahomedan electorates return some members of their community, the reservation would require alteration and reduction every time the fresh election is held for the Council. At any rate the number that should be reserved every time, is dependent on and should follow the result of elections by the Local Boards, Municipalities and landholders. This is what is also the view of the noble authors of the Reform Scheme. Again, the proportion of Hindu and the Mahomedan members has to be worked out. It does not seem to present much difficulty. Their total number being a little over than $\frac{1}{2}$ the Hindu population, the number of seats for the Mahomedan brethren should be, in my humble opinion, about $\frac{1}{2}$ of those of the former, in other words, the ratio should be accordingly regulated on this principle. The total number of members I have suggested to be returned by the Local Boards, Municipalities and landholders is 15. So 8 seats to the Mahomedan community appear to me to be the most equitable number that I would like to suggest for being reserved for it. All these 8 seats should be filled up by their own electorates only on the contingency of the aforesaid electorates returning only Hindu members. But such a contingency I venture to state will hardly happen. Roughly, 2 to 3 seats or more will be filled up by our Mahomedan brethren through electorates other than their own. It is only the remaining number of the 8 reserved seats that will have to be filled up by their own electorates. I would leave it to the opinions of that community as to the best way in which the seats are to be distributed among the several districts or valleys. I would only suggest for what it is worth that the proportion of population with Brahmaputra and Surma Valleys is 1:4, and seats may be allotted to both the valleys accordingly. In this connection I would beg to point out that should some of our Mahomedan brethren be returned by electorates other than their own—which is a likely contingency—the proportion 2:1 of Hindu representatives whose number should be about double of the Mahomedans will be disturbed. To make up the proportion and to keep the number of Hindu members in fact, an equivalent number of seats thus lost to the Hindus by absorption of the number by their Mahomedan brethren should be filled up by fresh elections by the electorates affected or by nomination by the Governor. But the first alternative scheme to be the more commendable. But this point I would leave to the consideration and decision of the Committee. The same principle is also to be adopted for keeping the Hindu number intact in case of the European Tea-planters obtaining more seats through Local Boards' electorates.

I would now pass to the case of the Animists who form a considerable bulk of the total population. Leaving aside those in the hill districts to which I would not recommend extension of the Reform Scheme on the grounds stated above, the total Animist population on the plains districts is approximately 556,262, of which Brahmaputra Valley alone contributes 538,994.

The main section of these Animists in the plains are Kacharies, Lalungs, Meches, Mikirs and Miris. Education has made no progress among these Animists. The following table of those main sections leaving out of account those of their brethren that have been either Hinduised or Christianised will show this :—

	Population.	Literate.	Literate in rudimentary English.
1	2	3	4
Kacharies	168,429	1,213	27
Lalungs	82,790	231	2
Meches (Animists)	24,437	91	3
Mikirs	102,212	354	12
Miris	13,256	76	.....

Clearly they are absolutely in the dark and I am doubtful if the political awakening will occur to them in the near future. Yet their backwardness justifies a representation to them in the Council for safeguarding their interests. At the same time in consideration of their conditions, I cannot recommend any special electorate at present to them but I would suggest nomination.

In this connection the case of the Indian Christians occurs to my mind. Leaving aside those who inhabit the hill districts in which the Missionaries have found scope for their evangelistic mission, their total number in the plains is approximately just above 21,000. They are therefore a minority and may have a member to represent them. The bulk of the Indian Christians are recruits from Animists tea-garden coolies and higher education has made very little progress. In order not to expand the Council to make it unwieldy, I would suggest that only 1 member may be allotted to the Animists and Indian Christians by rotation and that the seat may be filled up by nomination by Government who is alone in a position to select suitable member to them on account of their backwardness.

Lastly, there should be, in my humble opinion, 2 seats provided for the Mercantile Community—one from each valley. In the existing Council I think there is only 1 member that has found seat by nomination to represent its interests. There should be special electorate for their community. The franchise should be based on a certain amount of income-tax paid by the individual members composing it. I am for doing away with the present system of nomination.

As to the official element in the Council, I would increase its present number by one more instead of 9 at present.

So then the constitution of the expanded Council for this province according to the humble opinion of my Association should be as follows :—

Officials	10
Local Boards	9
Municipalities	4
Landholders	2
Planters	4
Mahomedans	8
Ahoms	2
Mercantile Community	2
Animists and Indian Christians	1 (by nomination and rotation).
Total	42

I have only transposed the present figure of 24. The elected element in my scheme is about $\frac{2}{3}$ of its total strength. The proportion of Hindus and Mahomedan members is 2:1 and that of the latter is raised from $\frac{1}{3}$ to $\frac{2}{3}$ in the new Council. The scheme has been devised on as broad a franchise and as direct an election as possible. Its size is not unwieldy or inconveniently large and it is as representatives a Council as the illustrious authors of the Reform Scheme heartily desire to suit all communities and interests by providing for all and I would commend this scheme to the notice of this august Committee.

IV.—REPRESENTATION OF ASSAM IN THE IMPERIAL LEGISLATIVE ASSEMBLY.

As to the constitution of the Imperial Legislative Assembly which is to consist of about one hundred members, I would not say much. I would only suggest that this province should have the right of sending more representatives than it does enjoy at present. It has been decided that $\frac{2}{3}$ of the total number should be elected and $\frac{1}{3}$ nominated and of the nominated not less than $\frac{1}{3}$ to be non-officials. At present my province returns two members—one official nominated by the Government and the other elected by the non-official members. This will not be adequate in the expanded Legislative Assembly. The view of my Association is that the province should have the right of returning 6 members to it—of whom two should be Hindus, one Mahomedan, one tea-planter—all to be elected by the non-official members of the Provincial Council and the remaining two from officials to be nominated by the Governor of this province.

MEMORANDUM OF POINTS TO BE PLACED BEFORE THE FUNCTIONS COMMITTEE BY THE REPRESENTATIVE WITNESS OF THE AHOM ASSOCIATIONS, ASSAM.

The view of my Associations is that all the subjects given in the Illustrative List I of the Appendix II of the Reform Scheme Report as Provincial subjects, should be provincialised, subject only to the limitations imposed.

Regarding the division of Provincial subjects, I would also humbly suggest that all the subjects given in the Illustrative List II of the Appendix II of the Reform Scheme Report should be transferred more specially the Local-Self Government, Education (Primary, Secondary and Technical), Sanitation, Agriculture, Co-operative Credit, Unclassed and village forests, Fisheries, Charitable endowments, Development of arts and crafts and local industries, Registration of births, death and marriages and of deeds and documents. The other subjects at the present transitional stage, may be kept "Reserved." As the Reform is not recommended to be extended to the hill districts, possibly there may be a necessity for bifurcating each of the Departments or subjects. If so, only those parts of the subjects enumerated above, as only affect the plains, may be placed in charge of the minister or ministers, the other parts in the hands of the Governor and His Executive Council.

P. BOROOAH.

The 12th November 1918.

**Memorandum of the Proposed Evidence of Raja Prabhat Chandra
Barua, of Gauripur, Assam, before the Franchise Committee
in connection with the Indian Constitutional
Reforms.**

GAURIPUR, ASSAM: }
Dated December 10, 1918. }

Memorandum of my proposed Evidence for the Franchise Committee.

I have been requested by the Government of Assam to give evidence before the Franchise Committee in connection with the Reforms Scheme as the representative of the Goalpara Zamindars. I accepted the invitation, as I am deeply interested in the matter, but the time at my disposal did not enable me to discuss the various points with my brother Zamindars. I have, however, consulted them and discussed the matter with those whom I could meet.

I have been further hampered by the absence of authentic statistics which are necessary in examining how far the ideas which suggested themselves to my mind fit in with the actual state of things. I must also say that the time allowed is much too short for mastering the practical details of such a vast and important subject. I have not, therefore, attempted to enter much into details and have contented myself with an expression of my general view on the point raised in the official communiqué which was sent to me.

Before I come to the point on which my opinion is invited, I would try to explain the position of the permanently settled Zamindars in general and the peculiar position of the few Zamindars in the district of Goalpara under the Assam Administration. A reference is invited to a note (Annexure I) which I prepared and forwarded to the Government of Assam and submitted a copy to Mr. Bhupendra Nath Bose when the latter came to India with the Right Hon'ble Mr. Montagu, the Secretary of State for India. That note was written before the publication of the Reforms Report, and I would just touch the matter, later on, to show that bad as was the position of the Goalpara Zamindars under the present Administration, it would be very much worse when the Reforms foreshadowed in the Report are introduced in India. A perusal of the Proceedings of the Conference of the non-official members of the Assam Legislative Council held on the 5th October last to consider about the scheme of Indian Constitutional Reforms will disclose the attitude of the members towards the Zamindars of Goalpara. It would be seen that when Mr. R. N. Choudhri proposed a separate electorate for the Goalpara Zamindars, he was opposed by nine members.

It seems doubtful at times if the position of the permanently settled landed aristocracy is properly realised. The various terms loosely used, such as Zamindars, landholders, landowners—some of which have been adopted in legal phraseology—seem confusing. In paragraph 147 of the Report, the landed aristocracy are acknowledged to be the natural leaders; I do not quite follow what they mean by the "smaller gentry" in paragraph 148. The Hindu Law, which does not recognise primogeniture, is responsible for the dismemberment of large and important Estates and the creation of a very large number of small States by partition, sale or otherwise. The latter are not therefore always of "utilitarian origin"—inasmuch as they also are portions of large States which owe their origin to "conquests or grants". The subsequent owners do not, however, represent "ancient and well-born families" for having changed hands. It is pointed out that the consideration for preserving the dignity and integrity of the real landed aristocracy of India may not be affected by the gradual but inevitable passing of some States to the rising democracy, which tends to some confusion in appreciating the real status of the aristocracy, for whatever may be the origin of the families who now hold permanently settled Estates, they all come under the same community and are entitled to the same consideration in the matter of representation under the Reforms Scheme.

I would try to illustrate what I mean by specific instances. In doing so, I would confine myself to the permanently settled Zamindars in India. The Maharajas of Durbhanga and Burdwan belong to the same class, while there are petty Zamindars as well, paying a few rupees as Government revenue, who nevertheless belong to the same class of landed proprietors created by the permanent settlement. I would here point out the necessity of authoritatively fixing a word for the permanently settled landholders, and I think the word Zamindar will be the most appropriate designation for this class. It would also be necessary, to avoid confusion, to fix different terms for different classes of landed proprietors.

I would now come to the landed aristocracy in the Province of Assam. By the term "landed aristocracy" I mean the Zamindars under Lord Cornwallis' Permanent Settlement of 1733. In the Province of Assam there are only two districts, *viz.*, Sylhet in the Surma Valley Division and Goalpara in the Assam Valley Division, the major portions of which were settled permanently with the proprietors then in possession and who usually are known as Zamindars. I would here invite a reference to a sketch of the map of Assam showing the permanently settled and Khas Mahal areas. (Annexure II.)

I have, for the present, been asked to represent the Zamindars of Goalpara to which district I belong. The note (Annexure I) which I had occasion to refer to before would give an exhausted idea of the Zamindars of Goalpara and their isolated position under the Assam Administration. I am now to point out how the proposed Reforms Scheme would affect them and in what way their interests might be protected. This naturally leads us to the question of communal representation in the Reformed Provincial Legislative Council.

Before coming to the question of the application of the system of communal representation of the Zamindars of Goalpara, I would like to state my personal views on communal representation in general. The Right Hon'ble Mr. E. S. Montagu and His Excellency the Viceroy have expressed their decided general opinion more than once in the Report that the history of self-government amongst the nations who developed it is against the recognition of communal representation. They go further and assert that any system of communal electorates would be a serious hindrance to the development of self-governing principles. And yet circumstances have compelled them to go against their well-considered principle and recommend communal representation. The great Muhammadan community is to have separate representation, and the Government cannot get out of it because of the pledge given to them. The Sikhs and the great landowners must have the same privilege for other reasons. I take it an open challenge by the authors of the Report to all Indians as to whether they can depend upon their own men irrespective of class and creed. I also say that if we do not take up the challenge, we tacitly admit our inability to govern ourselves. So, as my personal opinion, I would state that the Muhammadans should relieve the Government of the pledge, and the system of special electorates and communal representation should be condemned and abandoned from the beginning.

If, however, communal representation has to be accepted after all, I would say that the Government is bound by a more sacred unwritten pledge to the Zamindars of India. The origin of some States can be traced as far back as the Hindu Kingdom. The British Government from before the permanent settlement have recognised the great body of landowners as a distinct body by themselves, and special treatment has invariably been accorded to them. I can do no better than refer to a speech of the Maharaja of Durbhanga on the subject, extracts from which will be found in Annexure III. The authors of the Report also recognize this (*vide* paragraph 147). And this, I take it, ensures special electorates and communal representation for the Zamindars. This, however, is recommended for provinces "where the great landholders form a distinct class of their own."

Do we—the Zamindars in Assam—in the districts of Sylhet and Goalpara form a distinct class of our own? Certainly we do, and our isolation from the great body of Bengal Zamindars makes our distinctness all the more glaring. The Assam Administration however has but half recognised the importance of our community. This idea was painfully forced upon us when we—the few permanently settled Zamindars of Goalpara and Sylhet—were formed into the same electorate, under the designation of "landholders," with the Khas Mahal temporarily settled tenants of Assam. I would again invite a reference to my note (Annexure I, Enclosure "A") which will clearly explain the situation. It is for this sort of treatment that I have been strenuously advocating the transfer of the permanently settled area of Assam to Bengal, where our interests would be safe in every way. In any case, I should think that India Government should provide for the introduction of all laws relating

to the permanently settled Zamindars and raiyats, to the areas in Assam which also are under the permanent settlement. I go further and say that even if separate electorates and special representation be conceded to the Zamindars in Assam in the reformed Provincial Council, their position would not only be no better than what it was, but very much worse. With a solitary representative of our community, or even perhaps a few, can we ever hope to influence the reformed Assam Provincial Legislative Council with diverse interests, namely, those of the planting community, the Khas Mahal landholders, the vast tenantry of the Zamindars and the officials, forming the majority of members? The Zamindars have nothing in common with the former two, and the interests of the tenantry—who are bound to have much better representation in the Councils—are directly opposed to those of the Zamindars. Then those of our community who desire to take part in public affairs would naturally seek places in the Indian Legislative Assembly and the Council of State rather than in the Provincial Council. But we, the few Zamindars of Assam, would have absolutely no chance of being ever returned to the Indian Legislatures unless seats are reserved for us in the Indian Assembly and the Council of State, with a special electorate of our own, and so, I fear, we would be debarred from fulfilling our responsibilities, even when we have the will to do so. These are some of the reasons which urge me to point out why we should be transferred under the Government of Bengal, where our birthrights would have chances of being much better protected by men of our own class.

It has been said in some quarters that this is a barred question for present consideration. The authors of the Report frankly admit that modification of the areas of provinces according to the character and economic interests of the people should be made (paragraph 349). In the case of Orissa, they consider this as urgent. But they are not willing to complicate the situation and do anything which might make the consideration of the proposed Reforms Scheme more difficult. I would point out that there are instances where questions of slight territorial redistributions are closely and intimately connected with the protection of important minorities, who would otherwise be swamped by larger majority with different interests. Unless this is done, the arbitrary constitution of the reformed Councils will perpetuate injustice. If the mischief is once done, it would be impracticable to rectify it later on under the reformed Government. Ours, I humbly submit, is a case to the point. In paragraph 246 of the Report it is stated that it should be one of the earliest duties of the reformed Provincial Government to test provincial opinion upon schemes of redistribution of territories. The verdict as to whether any such scheme should be adopted or not would lie on the Provincial Councils. In the Assam reformed Council, there would be two distinct popular elements, *vis.*, those from the five Khas Mahals plains districts and those from the two permanently settled districts. If in a Council so composed, the question of the transfer of Sylhet and Goalpara is put and supported by the members from those two districts but opposed by the others who are likely to be in the majority, would it be ever possible for Sylhet and Goalpara to go back to Bengal, even if they cried themselves hoarse? It is admitted that the Zamindars of Goalpara have nothing in common with the remaining plains districts of Assam. They are under the same permanent settlement as in Bengal. Their language, social customs and habits and laws are all similar to those prevailing in the adjoining districts of Bengal, Rungpur, Dinajpur, Jalpaiguri, Bogra and Cooch Behar. It is said that without Goalpara and Sylhet, Assam cannot be a self-contained province. Should that be a reason why an important, though small, community should be sacrificed and put in a position where they would be at best forced to taking part in a losing game till their distinctive rights are lost and they are merged with the Khas Mahal temporary settled tenants? I fail to see why the consideration of territorial modification should not be considered where necessary, unless the observance of rigid rules is placed above the just and right consideration of questions which arise in connection with the constitution of Legislature.

This again leads me to point out another proposal which has been discussed from time to time and which has the support of at least some eminent men of Assam. It is the transfer of all the plains districts of Assam to Bengal. If the

administrative difficulties in transferring Goalpara and Sylhet are insuperable, could not the above proposal be carefully examined? The present Chief Commissioner, the Hon'ble Mr. N. D. Beatson-Bell, explained in his speech at Dhubri delivered on August 31st, 1918 (see Annexure IV), how very difficult of application was the Reforms Scheme in Assam. He excluded two-thirds of the total area in the Province as unfit for any advanced form of Government. With this two-thirds excluded, the remaining one-third cannot form a self-contained administration and should rather be incorporated with Bengal, leaving the Hill Districts as a Frontier Province. Without arbitrarily binding together heterogeneous interests and classes for the sake of maintaining an administrative unit, this occasion, I submit, would be a most suitable one of considering how the administrative units could be more homogeneous. It is not for any sentimental reasons that I have advocated the transfer of the permanently settled districts to Bengal, nor am I here inviting a consideration of the transfer of the whole of the plains districts to the same province for any such idea. I smell the possibility of the extinction of the rights and privileges of our small community in Assam, if we are not united with the great body of Zamindars in Bengal.

I have already stated my personal views about communal representation. If, however, it is inevitable that communal representation will be adopted, I would recommend that it may be introduced in the Legislative Assembly and the Council of State and not in the Provincial Legislative Councils. The illustrious authors of the Report, while admitting any system of communal electorates as a very serious hindrance to the development of the self-governing principle, regard its adoption as inevitable in the case of the Muhammedans for the reason that they are bound to see that the community secures proper representation—apart from the question of pledge which also they feel bound to honour. Having once deviated from the principles, they naturally have to extend the system to the Sikhs and to the great landholding classes. After having stretched so far, pledge or no pledge, are they not bound to protect other minorities and interests who would fail to secure proper representation in the new Councils but for separate communal electorates in their cases also? I think they are equally bound by honour not only to any particular community but to all important minorities and interests who would otherwise be unable to secure suitable representation in the Councils.

They, however, intend to adopt the system of communal representation only in the educative stage of the electorates during the transitional period, at the price of a slower progress towards the realisation of a common citizenship. This they characterize as one of the devices, a temporary expedient for training purposes, that can have no permanent abiding place. The goal is clear. From the above we may presumably deduce that this sort of special representation is only to be tolerated till the electorates are educated to regard public good over individual interests. If that be so, then is it not incumbent on the authors and the powers that be to introduce it in the way in which the evils attendant on the system may be reduced to a minimum and the pace towards the goal accelerated as much as possible?

This, I think, can be done if the system of communal representation be altogether done away with in forming the Provincial Legislative Councils. The object of instituting communal electorates is the representation of the important minorities and interests who would have no chance in the ordinary way. When this privilege is conceded to special classes and interests, they will still be in an absolute minority in the Councils and at best shall have only the opportunity of making their views known in Council "by the mouth of some member specially acquainted with them." They will have to depend upon the popular element in the Councils for a consideration of their special interests, which would not infrequently be either directly opposed to their own or else they would be perhaps quite unconcerned or indifferent to such matters as not affecting themselves. If these minorities and special classes have to depend upon the judgment of others, would it not be desirable that they should choose the very best of their fellow-countrymen to sit in judgment over them? It is for these reasons that I suggest that communal representation should be secured in the Council of State and the Legislative Assembly and not in the Provincial Legislative Councils. The education of the electorates is to proceed from the spirit of partisanship of special classes in the Council to that of a common citizenship, when they would learn to sacrifice individual interest to the common

good. The best men—the flower of aristocracy and intellect in India—many of them already trained in Parliamentary education—would naturally seek to go to the Council of State or the Indian Assembly, and the Provincial Councils would thus be composed mostly of inferior men, few having any experience of debates, and perhaps not above local jealousies or free from the spirit of partisanship. If communal representation is adopted in the Provincial Councils, would it not be turning the Council Chamber into a fighting arena where the potentialities of friction would receive the maximum scope? Would it be politic to let loose communal hatred and frustrate the end in view? If communal representation is to be adopted at all, let it be introduced in the Council of State and the Legislative Assembly, where there would be the smallest chances of friction or debates degenerating into undesirable extremes.

There is yet another aspect of the question to which also I would like to draw attention. The same special classes in different Provinces would necessarily receive different treatment according to the composition of the Provincial Councils. The Muhammadan community in some Province where they are in a majority in the Provincial Council, or the Zamindars in Bengal, would secure privileges which their brethren in Assam or some other Province where they are in minority would be unable to gain. This will have the undesirable consequence that the position and privileges of the same community or interest will gradually tend to become more and more divergent and a sense of dissatisfaction is sure to grow with it. Would this not therefore have the effect of perpetuating class division, stereotype existing relations and increase the cleavage? In other words, it would be foisting another artificial caste system on a people already sore with irremovable differences of their own.

The Council of State and the Indian Assembly can surely be so enlarged and constituted as to include adequate representation of all important classes and interests throughout India. It would be composed of our best men who would be above any narrowness and best suited to take a dispassionate view of all questions raised. It has already been hinted in the Report (*vide* paragraph 238) that matters which vitally affect people who may not be adequately represented in the new Provincial Councils will not be transferred to that body but taken up by the Imperial Legislature, where the same special interests of the different Provinces would be co-ordinated and be possible to be advanced in parallel lines. If thus all matters affecting the minorities are decided by the Indian Legislative Assembly, nothing would be lost by special interests in not having special representation in the Provincial Councils, but much would be gained by avoiding the possibilities of friction in local Councils, making the attainment of the goal more and more difficult and distant. Minorities will be minorities everywhere, either in the Provinces or in the Imperial institutions. If my suggestions be adopted, they would at least have the satisfaction that whatever awaits them would be in the hands of the most capable men their country can boast of, and the spirit of partisanship would much sooner give place to that of a common citizenship.

SUMMARY.

To sum up, while approving of the Reform Scheme generally, I would—

- (1) In the first instance do away with communal representation altogether.
- (2) Secondly, if the system is to be adopted at all, I would not have communal representation in the Provincial Council, but introduce it in the Indian Assembly and in the Council of State.
- (3) For the protection of the vital interests of our community, *vis.*, that of the permanently settled estates in Assam, and also because Assam, without the hill districts comprising two-thirds of the Province, cannot be a self-contained unit of administration, I would recommend the transfer of all the plains districts to Bengal, leaving the hill districts to be administered as a Frontier Province.
- (4) If the former be not acceptable, I would recommend the transfer of the permanently settled area in Goalpara and Sylhet to Bengal.
- (5) As a matter of last resort, I would suggest that if Goalpara and Sylhet are to remain under the administration of Assam, it should be ruled by the Government of India that the Bengal laws and amendments relating to the permanently settled Zamindars and their tenants be always automatically introduced in the permanently settled areas of Assam without passing through the Assam Provincial Council.

I would now note my views on the terms of reference in paragraph 3 of the *Communiqué* and also give my reference to the questions set by the Hon'ble the Chief Commissioner for the non-official members of the Assam Provincial Council, dated the 5th October 1918, copies of which are, no doubt, before the Committees.

I.—As regards Provincial Legislative Councils —

(1) The franchise should be as broad as possible. In Assam I would fix the qualification of general election as those fixed for the election of members by the Muhammadan community in the present Provincial Council, with slight modification where necessary.

(2) I approve of doing away with indirect elections and substitute direct elections instead generally. I have, however, no objection to indirect voting in special cases, like that of allowing Tea Associations to return special representation for the Tea Industry.

(3) I would fix each district as an electoral unit, the electorate returning the number of members fixed for each district.

(i) *Special or Communal Electorates.*—I have already expressed my views on the general question of communal representation. If it is considered expedient to adopt the system in the Provincial Legislative Council, I would extend communal representation to—

(a) The permanently settled Zamindars by a special electorate of their own. The qualifications of the voters should be fixed after mature consideration, the present rules for the electorate of landholders not being satisfactory. I am unable to go more into details in the absence of statistics.

I would, however, point out here that the case of the permanently settled Zamindars is a peculiar one in Assam. All the Councillors returned from the five other plain districts would represent one interest only, namely, that of Government Khas Mahal landholders. The Councillors elected by the general electorate with the qualifications suggested in the permanently settled districts of Goalpara and Sylhet would be raiyats under the permanently settled Zamindars. The Muhammadans would be eligible for election by the general electorate as well as by the special electorate for the permanently settled area in Sylhet.

I would not, however, have separate electorates for the permanently settled districts of Sylhet and Goalpara. I would want five seats in the Council for the permanently settled Zamindars of Assam, two being reserved for the Goalpara Zamindars and the other three for Sylhet. In an enlarged Council, five members for this important community would not be disproportionate to their importance and peculiar isolated position.

(b) For Muhammadans I do not think special election would be necessary if the value of the general franchise be fixed as suggested by me before. Their representation can, I think, be secured by reserving elective seats in plural constituencies. The total number of Muhammadan members to be elected may be distributed amongst the different districts in proportion to the numerical strength of Muhammadans, the electoral units in some cases comprising of more than one district.

It may be said that special elections would be less cumbrous and more convenient. But I would recommend this, so that Hindus and Muhammadans may vote for each other, thus fostering the growth of mutual interest and trust amongst these two important communities.

(c) For the planting community as at present.

(ii) *Reserving elective seats.*—I have already suggested this for special representation of the Mahomedans.

(iii) *Nominations.*—I think the ~~Shans~~ ^{Mans} and the Animists should have representation by nomination. Although I prefer election to nomination, in the present state of the backwardness of these communities and their small number, nomination would serve their interest best.

I would, however, recommend nomination with this reservation that it should be made in consultation with the community concerned, and that such nominations should be null and void if the majority of that community object to any particular nominee. I intend this as a safeguard against taking "safe" (*sic*) or mere figure-heads, as also that the nominated member should always feel his responsibility to the members of his community.

This disposes of Question 4 of the Chief Commissioner's Note to the non-official Members of the Council.

(iv) I have no idea of proportional representation.

(4) *Nominated official members*.—I think the present members, namely, 9, may do. The object is to have all the departments represented, and I would not object to increase this figure, should this be necessary for representing different departments.

<i>Present Constitution</i>		
Nominated	13	{ Official ... 9
		{ Non-official ... 4
<i>Elected—</i>		
Municipality	...	2
Local Boards	...	2
Landholders	...	2
Muhammadans	...	2
Tea	...	3
		11
		24

The Commissioners need not be in the reformed Councils.

(5) If the total number of members be calculated on a numerical basis on the standard which obtains in the United Kingdom, I think the number of Councillors would be 87.

I am excluding the hill districts which the Hon'ble the Chief Commissioner thinks not sufficiently advanced for taking part in any advanced form of government, but would include Shillong.

I note, however, what is stated in paragraph 225 of the Report about the practical difficulties attending an election, and would, for the present, suggest the following strength to composition for the reformed Provincial Council:—

<i>General—</i>		<i>Communal—</i>	
Lakhimpur	3	Permanently settled Zamindars	5
Darrang	3	Planting Community	3
Sebsagar	6	Muhammadans	2
Nowgong	2	Nomination—	
Kamrup	5	Officials	8
Goalpara	6	Non-officials	4
Sylhet	20	Municipalities	4
	44		26
			70

I think some explanation is called for in support of the number of members suggested by me.

Zamindars.—The area under permanent settlement in Goalpara and Sylhet is about 7,504 square miles. There is no chance of a Zamindar being elected by any other electorate than their special one.

Planting Community.—There are 608 square miles under tea. The members they would return would be very highly trained and educated men with a sense of full responsibility. The vital matters affecting their interests would be more Imperial than Provincial, and so, I think, these would secure effective representation.

Muhammadans.—A member of this community would be returned by the general electorate and by the special electorate of Zamindars. The general interests of this community are, after all, identical to those of the Hindus, and I think two specially elected members would be able to represent the special interests of the community.

Municipalities.—The problems of the towns are different from those of the rural areas, so I think these bodies should have special and adequate representation.

I would thus fix the total number at 70 with no less than 4/5ths as elected.

This concludes my answer to Question 1 of the Chief Commissioner's Note.

II.—Indian Legislative Assembly—

I have already stated in full how I would recommend that communal representation be altogether done away with in the Provincial Legislative Councils and introduced in the Indian Legislative Assembly. It is, however, not possible for me at this moment to suggest the various special communities and interests which should be represented in the Indian Legislative Assembly, neither can I indicate the number of special representations to be assigned to each. Generally, I should fix the number of this Assembly at the figure which would ensure adequate communal representation, besides the representation of the Provinces and nominated members as stated in paragraphs 274 and 275 of the Report.

I realize the difficulties of direct election in the general electorates, but I think direct election to be so very important that the difficulties must be faced and some method devised by which direct election could be secured.

It has been stated that there will be no difficulty about direct election in the case of special constituencies. If, however, any suggestions for communal representation and special electorates be favourable, I anticipate practical difficulties in forming these electorates too. Very often such an electorate will

have to be formed from the same communities or interests in the various Provinces. But any practical suggestion is not possible to be made before the special communities and interests which are considered fit for special representation are fixed. After this point is considered and decided, the distribution of such communities throughout India will have to be examined with a view to form their special electorates.

I hope, however, that the difficulties anticipated would not be unsurmountable, and it would be possible to devise means for direct elections for the general as well as special electorates for the Indian Assembly.

1. If, however, any suggestion about communal representation in the Legislative Assembly be not favoured, I would still very strongly recommend direct election for special as well as general representation.

I do not see my way to suggest the exact numerical strength of the Legislative Assembly. I would, however, strongly protest against the proposal contained in paragraph 274 of allowing only two members for Assam and should think that Assam ought to have four. The number of representatives has been probably based on a consideration of all the circumstances and not on the area or numerical strength only. I think Burma and Assam should have larger numbers than suggested.

2. With the information at present at my disposal, I would not propose franchise and constituencies.

I would, however, express, as my general opinion, that the value and qualifications of voters for the Indian Assembly should be much higher than what has been proposed for the Provincial Legislative Council.

I have also expressed my view strongly in favour of direct election. The suggestion made in paragraph 273 of indirect elections by non-official members of Provincial Councils is, to my mind, open to grave objections. In that case it seems likely that the candidates would also be confined to the members in each Provincial Legislative Council. The qualifications of the voters would also be very low and they would not be, to my mind, well qualified to exercise sound judgment in distinguishing the comparative qualifications of rival candidates. I am not, therefore, at all prepared to approve of indirect election through the Provincial Council.

I would state further that the best men would prefer to go to the Indian Assembly and not to the Provincial Councils. The members of the landed aristocracy have little chance of being elected except by their special electorates, as the interests of the general electorates being usually opposed to those of the Zamindars, they cannot be expected to give their votes in favour of such a candidate. So, if indirect election through Council be made, the members of the landed aristocracy will be practically excluded from the Legislative Assembly.

III.—Council of State.—

1. I generally approve of the constitution of the Council of State as stated in paragraph 277.

Here, also, I am opposed to indirect election of the 15 members. The reasons stated against the adoption of indirect election in the Indian Legislative Assembly hold good here also. Unless special electorates are formed for direct election, I am of opinion that the ablest and fittest men will be practically excluded.

But the same electorates for the Legislative Assembly and the Council of State, where possible, would do.

2. (a) I have already suggested before that the six elected members should be returned by special electorates by direct voting. The same electorates, where possible, may form plural constituencies for the purpose of returning members to the Indian Assembly and the Council of State. The qualifications of the voters should, however, be much higher than those recommended for the general voters for the Provincial Legislative Councils.

(b) The special *Muhammadan* members for the Council of State are for the representation of communal interests peculiar to that community, apart from their interests as landholders or raiyats. The latter are in common with those of other Indians which need no measure of special protection for that community. So I do not anticipate any difficulty in that community devising means by which the members returned would represent all Indian Muhammadan interests.

I anticipate difficulties in securing "landed members" adequately representing the interests of their community in the whole of India. As I had occasion to point out at the outset, the different words loosely used to mean the "landed interest" are most confusing. If by "landed interest" is meant the large land-owners, then even they would include permanently settled Zamindars, territorial magnates like the Taluqdars of Oudh, and, perhaps, other big owners with different incidents attaching to each. Then there are the temporarily settled raiyats under Government in Assam and elsewhere who also come under the designation of "land-holders." I take it that raiyats under the large land-owners are not meant, as they will have adequate representation through the general electorate.

The large land-owners mentioned above, although all of them landed proprietors, have not identical interests, and, in the first instance, it is necessary to define exactly what classes of landed interests are intended to be grouped together under "landed members."

I am sorry the information at my disposal just at present does not enable me to decide the exact number which would adequately represent the all-India landed interest in the Council of State. All I can say is that the permanently settled Zamindars, with their peculiar land laws and history of their own, should have at least two members to represent their special interests in the Council of State.

Generally speaking, the tracts mentioned in the schedules and appendices to the Scheduled Districts Acts, 1874, might be excluded from the jurisdiction of reformed Provincial Governments. The lists should be carefully examined and those classes who have since advanced and are no longer backward should be allowed to participate in the reformed Government.

PRABHAT CHANDRA BARUA,

GAURIPUR, ASSAM: }
The 10th of December 1918. }

Raja of Gauripur,
District Goalpara, Assam.

ENCLOSURES.

ANNEXURE I.—Note about the present position of the Goalpara Zamindars, etc.

ANNEXURE II.—Map of Assam showing the two Divisions and the plains districts where the Reform Scheme is suggested to be introduced, and also the areas which were permanently settled in 1793.

ANNEXURE III.—Extracts from the Speech of the Maharaja of Darbhanga delivered at Calcutta on August 7, 1918.

ANNEXURE IV.—Extracts from the Speech of the Hon'ble Mr. N. D. Beatson-Bell, C.S.I., I.C.S., Chief Commissioner of Assam, delivered at Dhubri on August 31, 1918.

ANNEXURE I.

Note about the present position of the Goalpara Zamindars and the necessity of the permanently settled portion of the District being transferred to Bengal.

1. The District of Goalpara, as at present constituted, contains an area of 4,433 square miles, and is bounded on the North by the Bhutan Hills, on the East by the Rivers Manas and Singra which separate it from the District of Kamrup, on the South by the Garo Hills, and on the West by the Bengal Districts of Jalpaiguri, Cooch Behar State and Rangpur.

Area and boundaries.

2. That which was called Goalpara proper measures 2,571 square miles with which the Duars, measuring 1,862 square miles, were incorporated after the Bhutan war of 1864.

3. Goalpara proper is the area where the Zamindari system prevails and was permanently settled along with such other Estates, now under Bengal, in 1793. This tract comprises the following permanently settled Estates:—

The number of permanently settled Zamindaris in Goalpara.

- | | |
|---------------|-----------------|
| (1) Bijnee, | (4) Parbatjoar, |
| (2) Gauripur, | (5) Chapor, |
| (3) Mechpara, | (6) Karaibari, |

besides inconsiderable areas under a dual system held by the Ranees of Bijnee and the Raja of Sidli. These houses are the descendants and representatives of the border Chieftains under the Moghul Emperors, whose status were changed to those of Zamindars during the permanent settlement of 1793 after the acquisition of the Dewani, and the tributes which they used to pay to the Moghul Emperors were consolidated as land revenue.

Status of these Familes under Moghul Emperors.

4. This area which may be called Goalpara proper used to be a part of Rangpur till formed into a separate district in 1822. From that time this district has been on many occasions attached to, and detached from, Bengal owing to various schemes of redistribution of territory. It evidently follows that Government has all along found it difficult to place this area under a proper system of administration—in revenue and judicial matters—where the interests of the landed class would be adequately safeguarded and their distinctive character maintained. Social considerations and the desirability of placing people with similar customs and manners and the same language under a homogeneous and compact administration, have evidently swayed the Government in making these several changes of this district during these almost hundred years. The keen feeling of unrest which pervades the Zamindars even at this distance of time clearly establishes the fact that they still feel dissatisfied with the present arrangement and that this vexed but important question still remains to be satisfactorily solved by Government.

The position of Goalpara under the Government of Assam.

5. After the partition of Bengal in 1905, the Zamindars of Goalpara were again reunited with the great body of permanently settled Zamindars in North and East Bengal and felt that their interests were safe. After the annulment of the Partition, when Assam was given a separate Legislative Council, the permanently settled Zamindars during the constitution of the Council received a rude shock and again awoke to the unsafety of their position in a Province like Assam where, out of 14 districts, only Sylhet and a portion of Goalpara represented their common interests—the remaining portion having nothing in common with them in land tenure system, customs, manners or language. Then again the only other district with the same interests, *vis.*, Sylhet, is so completely detached from Goalpara that intercourse with the Zamindars lying at that distance is impracticable. It is also a fact that Goalpara by reason of geographical barriers could never be thick-and-thin with Sylhet, but of late the Zamindars of this district have been forced to make attempts to overcome the practical difficulties so that they may associate with each other for the protection of their common interests. The Goalpara Zamindars were linked and formed one people with the bordering districts of Rangpur, Cooch Behar, Bogra, Jalpaiguri and even Dinajpur, and if they have anything common with others—in respect of language, social customs and manners, land system, etc.—it is with these districts and not with Assam.

The dissimilarity of the Zamindars to others in Assam with contiguous Bengal Districts.

6. In 1912 after the assumption by Sir Archdale Earle of the Chief Commissionership of Assam, the Assam Association which has almost all the Goalpara Zamindars as members urged in their address that "the interests of Zamindars of Goalpara should be safeguarded . . . and that they will continue to enjoy the same rights and privileges as their brethren in Bengal." Shortly afterwards in a joint address at Dhubri the Zamindars of Goalpara presented themselves

Representation to Assam Government by Zamindars from time to time.

before the Hon'ble Sir Archdale Earle and, in an address read to him, urged that Government might continue to the Zamindars of Goalpara the same rights and privileges and govern them by the same laws as obtain in the Bengal permanently settled districts.

7. Although it has been recognised by the Government of Assam ever since Goalpara came under that Province, that a revised Tenancy Law was necessary, one consideration or another has delayed this for almost a hundred years! Does it not follow that with Government it was but a question affecting a very small minority in the Province?

Proposal of a new Tenancy Law and history of the transfer and retransfer of the district.

8. The history of the law governing Goalpara is simple for the reason that the same law which prevailed in Bengal when this district formed part of it still remains in force here. As long as it formed a part of Bengal the Tenancy Law of that province must have been in force. When it was annexed to Assam in 1826, there does not appear to have been any particular Tenancy Law here, but it was administered according to the spirit of Bengal Regulations. In 1867, the district was placed under the Cooch Behar Commissionership, and in the following year the judicial administration of the district was placed under the Judicial Commissioner of Cooch Behar. In 1874, when the new Province of Assam was constituted, it technically came under Assam laws, but as a matter of fact the district was without a Rent Law for the period it was under Assam—a fact discovered by the High Court in 1882, and it was not till 1892 that Act VIII of 1869 was formally extended to this district. Besides the uncertain and suspended state of the district for many years owing to changes as enumerated above, it is felt by every Zamindar how injurious these changes have been to them. As, for instance, in tracing out old records, sometimes they have to be traced from one place to another—in Cooch Behar, Rangpur, Calcutta, Shillong—till they are completely lost sight of.

9. From the above it would be seen that Goalpara, while under Assam, has been governed by Act VIII of 1869 from 1892 and according to Bengal Laws even before.

10. In 1886 the Assam Land Revenue Regulations were passed which are theoretically in force in the whole of Assam, including Goalpara, although for all practical purposes Act VIII of 1869 is taken to be the law for the districts. As a matter of fact, however, the Civil Courts decide suits in the spirit of the Bengal Tenancy Laws and the latest decisions under them. The result has been that at the present time, the judiciary by adopting the above course have created a firm conviction in the minds of "jotedars" and other under-tenants that they have certain rights similar to those enjoyed by under-tenants in Bengal, which, as a matter of fact, they have not, under Act VIII of 1869; but unless the Zamindars choose to fight out every such decision—just for the sake of principle—up to the High Court, at great expense and loss of time, they have to accept the construction as laid down by the Extra-Assistant Commissioners of the district who perform the duties of Civil Justice.

History of law in this district and Government policy regarding same as disclosed from facts.

11. It should be borne in mind, however, that the Zamindars get little sympathy from the local judiciary and the Bengal Laws and case-laws are seldom considered except in favour of the tenants against the interests of the landlords.

12. As to whether Act VIII of 1869 shall be allowed to continue in Assam, or the Assam Land Revenue Regulations would be put strictly in force, or whether a new law should be passed, have vexed the Government of Assam ever since Goalpara came under this Province. The matter, although of vital importance to these few Zamindars, have evidently not received and cannot possibly receive the attention and care of Government which the Zamindars expect, for after all this does not affect Government revenue and the Goalpara Zamindars are in fact quite an unimportant minority in the Province. The question has therefore been allowed to drift away and perhaps to avoid these difficulties, the Government of Assam definitely decided in 1881 that the Assam Land Revenue Regulations must supersede Act VIII of 1869 in the Goalpara permanently settled Estates. It is difficult to imagine what would have happened had this been strictly enforced, in which case the Zamindars would have had by this time no "rights and privileges" to fight for!

13. In 1883, a special Rent Law for Assam was actually drafted by a conference of Assam officers, but it does not appear that those concerned were ever consulted or that the draft was made public. It was, however, dropped, but it would certainly throw some light about the Government policy for Goalpara, if that draft Rent Law were published even now.

14. In 1896, it was proposed to extend the Bengal Tenancy Law to Goalpara by the Commissioner and Deputy Commissioner, but the Chief Commissioner ruled it out.

15. In 1902, it was proposed to extend some sections of the Bengal Tenancy Law in Goalpara—evidently to meet some existing difficulties—but the Government of Assam was unwilling to do so for the fact that such a course might prejudice their action in future.

16. In 1907, matters seem to have again come to a head and Mr. Monahan held a general enquiry in the permanently settled area of Goalpara for advising on a general revision of the Rent Law and submitted his recommendations. Several responsible Government officials have since inquired into and stated their recommendations.

17. In 1912, the Zamindars themselves moved the Hon'ble the Chief Commissioner, and in 1916, at a conference of Government officials of which the Diwan of Bijnee alone was informed and was present, it was decided to have a special inquiry. The Deputy Commissioner of Goalpara was accordingly placed on special duty to investigate and report on the defects of the existing Rent Law in the permanently settled estates of Goalpara and to submit suggestions for its amendment, and in particular for such amendments as require to be adopted immediately or provisionally. This inquiry has now been finished in a thorough manner and the report has been published. Although there are statements in the report as regards facts which the Zamindars would challenge as not correctly representing the present conditions, the report is thorough and exhaustive and gives a basis for discussion with those interested in it and for subsequent draft of a Tenancy Law.

18. We will now consider about the present Legislative Council of Assam in its relation to the Zamindars of Goalpara. A perusal of the enclosure in this connection will show the position of the Goalpara Zamindars just before the formation of the Assam Legislative Council in 1912 as also what they prayed for.

19. The present Council consists of 24 ordinary members with power to add an expert member when necessary. The "landholders" are entitled to elect two members in the Council—one by the Surma Valley Electorate and the other by the Assam Valley Districts Electorate. I would not criticise if the landholding community even as defined by the Assam Code has been adequately represented by two seats. It seems to be taken as an undisputed fact that the planting community is the most important in the province, but on what basis I am not aware of. The planting community is certainly a very important body and has made a very large outlay of capital and Assam owes much to them. But can it be seriously contended that their importance is equal to that of the "landholders" in the Khas Mahals and Jotedars in the

permanently settled tracts whose number and outlay of capital in the shape of cattle and ploughing implements only would turn the scales enormously in their favour?

20. To return to the "landholders" seats, it would be seen that the Zamindars of Goalpara had protested in a body to their being classed under the "landholders" as defined by the Assam Code, but their representation met with no consideration from the Government. They have been relegated to a special minority which would be adequately represented by a nominated member. What has affected them still more is the non-recognition of the permanently settled Zamindars as a distinct class in Goalpara—different from the Khas Mahal "landholders"—by forcing them in one electorate with the latter holding periodical Government Fattas, and who cannot be called "proprietors" in the proper sense of the term.

21. Then to revert to the present number of electoral roll, we find that for the Assam Valley Division the total is 84, out of which 12 only represent permanently settled estates. Sylhet has 99 with one member to return. In an electorate so composed, can the Goalpara Zamindars ever hope to be returned by election? The present Chief Commissioner has till now been pleased to give a seat by nomination to one of the Goalpara Zamindars, and has he not in this way recognised the fact that the electorate, as formed, does not allow the possibility of a Zamindar being returned by election? When in a Council like this any measure is brought forward by Government, it is inconceivable that they would be able to represent their views of the situation with any force, much less protect what they have been prizing as their "rights and privileges" as Zamindars.

22. The proposal for tenancy legislation for Goalpara has brought matters to a crisis. At first it was intended again to "temporise" and amend the Law relating to matters which appear urgent. But the recommendations of the Special Officer deputed is for recasting the whole Act VIII of 1869. The consensus of Government opinion up to this time is for drafting a new Tenancy Law for Goalpara, and in reply to the representation of the Zamindars for the extension of the Bengal Tenancy Act, the present Chief Commissioner offered to give them a "better

Recent inquiries and proposal for recasting Tenancy Law.

(See "An account of the Land Tenure system of Goalpara," with criticisms of the existing Rent Law and suggestions for its amendments, by A. J. Laine, Esq., B.A., I.C.S., Deputy Commissioner of Goalpara, on special duty—15th March 1917, published by the Assam Secretariat Printing Office, Shillong, 1917.)

The position of the permanently settled Zamindars for being classed as "Landholders" with Government Khas Mahol tenants with periodical Pattas in the present Legislative Council of Assam.

(Wide enclosure A, a joint memorial of the Goalpara Zamindars to the Hon'ble the Chief Commissioner of Assam signed by Raja P. C. Barua and Mr. R. N. Choudhari, Bar-at-Law, and approved of by Bijnee and other Zamindars, September 1912.)

Whether a new Tenancy Law for Assam or the Bengal Tenancy Act would best protect the interests of the Goalpara Zamindars.

law." It cannot, of course, be denied that an Act better than the Bengal Tenancy can be drafted which would suit the simpler and peculiar conditions of Goalpara. The present Bengal Tenancy Law also is being condemned in Bengal, and there will never be an ideal Law which would keep all concerned contented, as new complications are inevitable everywhere with the march of time, necessitating amendments.

23. So, although we may have a better law, let us examine how far just now it would be possible, and what our position would be in the future. From the time of the permanent settlement in 1793, the avowed policy of the Government has been to take the side of the weak—which, in this case, would be the raiyats, and who then in the Council would stand for the Zamindars? The one nominated member from Goalpara—provided the Chief Commissioner at that time continues to show favour to the Goalpara Zamindars. The Sylhet member might take an interest by courtesy. The Goalpara Zamindars' views about the drafts, their practical difficulties, and suggestions for remedies, would be absolutely impracticable to be properly considered in a Council in which the other members have little knowledge or interest about Zamindari land tenures. So, although a better law is possible, would it not depend entirely on the favour of the official members and the non-officials, most of which class would likely support Government when they are not themselves concerned? Government, as is admitted, represents the interests of the tenants, and so how could they be depended upon to safeguard the interests of the Zamindars?

24. Then, again, it is not yet known if legislation for Sylhet, where also a revision of Act VIII of 1869 is urgently felt, will be taken up along with the proposal for legislation for Goalpara. *Whether the proposed new Law would include Sylhet or not.* When the proposal for amendment only of the present Law was in question, the subject of a separate Law for a part of the district of Goalpara—apart from Sylhet—did not seem necessary to be considered. Now that the Special Officer has recommended a new Act altogether, it is unimaginable that Government would take up Goalpara separately from Sylhet, which is the only other permanently settled district in the Province and where also Act VIII of 1869 is in force. It would be premature to say that Government has any intention to do so, but at the same time suggestions have been invited on the new Law on the report of the Special Officer, and, as far as we are aware, no such inquiry has been made in the district of Sylhet at all.

25. It was during the deputation of the All-India Zamindars' Association to the Right Hon'ble the Secretary of State for India and His Excellency the Viceroy of India in December, 1917, that the member for Sylhet represented that Sylhet should be incorporated under the Presidency of Bengal, and since then rumour is gaining ground, through newspaper reports, that this question is being seriously considered by the Government. We are not aware if this has any basis of truth; but, should this be really so, the Zamindars of Goalpara will have to view the situation in the light of recent events that might follow. It was for unavoidable reasons that I could not have the honour of being present in that deputation before the Right Hon'ble the Secretary of State, as I was invited to do on behalf of the All-India Zamindars' Association. But the time has come to express my opinion in unequivocal language that, should Sylhet be transferred to Bengal, the permanently settled estates in the district of Goalpara cannot remain under the Assam Administration, and that this fact is necessary to be properly communicated to the Government of Assam as well as to the Government of India and the Right Hon'ble the Secretary of State for India.

26. Apart from the above question, the proposals about a Tenancy Law for Goalpara, and the way in which the Government of Assam has been dealing with this matter ever since this district came under this Government, leave no option to us but to pray to be transferred to the Bengal Presidency so that we can cast our lot—for good or for bad—with the great body of Bengal Zamindars, where we will at least risk no chance of losing our birthrights as Zamindars. It might be true that the Assam Government can give us a better Law, but that, as it would be seen from the notes, would be a matter of pure favour and would depend upon the attitude of the head of the Administration and the President of the Council. It is also true that under this Province there is more chance for us to come in personal contact with the head of the Administration. But considerations of much more vital importance affecting the Zamindars far more outweigh the former. The future outlook of the Goalpara Zamindars as a negligible minority in the Province, separated from all others of their own class in Bengal and even from Sylhet, takes away all hesitation in deciding to be rejoined to Bengal. We could reconcile our position as Zamindars from Chieftains under Moghul Emperors, with the fact that most of such aristocratic families were classed under one group by the British Government. Our relegation to "landholders" with the Khas Mahal periodical patta-holders without even properly consulting our views and

notwithstanding our joint protests, the present position in the Province and the worse future outlook demanded the immediate consideration of the whole question most carefully and seriously, and this has led me to the decision that the Zamindars of Goalpara should be transferred to Bengal for the safety of their vital interests.

PRABHAT CHANDRA BARUA,

GAURIPUR:
The 23rd February 1918. }

Raja of Gauripur, District Goalpara,

Assam.

ENCLOSURE "A."

1. In the informal conference with the Commissioner of Assam Valley Districts held in Dhubri on 21st August 1912, those present were told that two seats are proposed to be allotted to "landholders" in the Assam Council.

2. The Zamindars of Goalpara and the representatives of some who are unable to attend personally were not informed about the subject-matter of discussion before they came to the conference and had, therefore, no time or opportunity to meet and discuss before and were not prepared to deal with the matter with the care and attention which the importance of the subject-matter demanded. The representatives present had to give their personal opinion without previously consulting their Zamindars. It is not yet known what opinion the representatives of the Bijnee Ranees or the Zamindars of Bagtibari gave. The Commissioner, however, was pleased to state that when the draft rules were published, all would be given full opportunities for discussion and submitting their opinion formally.

Present:—

The Commissioner, A. V. D.
The Deputy Commissioner, Goalpara.
Raja P. C. Barua of Gauripur.
Srijut Bholanath Choudhuri, Mechpara.
Mr. H. H. Bignold, representing 13anna Mechpara.
Mr. T. D. Moran, representing 8-anna Partabpur, Superintendent of Karabari, representing Karabari.

The questions placed before those present in the informal conference were, as far as we remember,—

- (i) that of the two representatives, one is to be allotted to the Surma Valley and one to the Assam Valley;
- (ii) that the word "landholder" is intended to include the permanently settled Zamindars, although its definition in the Assam Land Revenue Manual excludes persons in the permanently settled estates;
- (iii) that two electoral colleges are proposed to be formed, one in the Surma Valley and one in the Assam Valley;
- (iv) that which of the two electorates stated above Goalpara would join—the Surma Valley or Assam Valley.

Two suggestions were made in the conference:—

- (i) That Government be pleased to reserve in the Assam Council a member by election for the permanently settled Zamindars of Goalpara and that a separate electorate be given for the permanently settled Zamindars of Goalpara for electing such a representative.
- (ii) That failing the above, Goalpara Zamindars may join the electorate of the Assam Valley Districts, provided that separate representation for the Goalpara Zamindars was secured.

3. The Zamindars of Goalpara intended to submit a memorial on the subject to the Government after the draft rules for the Council are published and the Zamindars invited to submit their opinion, as the Commissioner was good enough to inform us.

4. Since the last conference we have met and discussed this matter, and pending the submission of this memorial we beg to submit our views and suggestions.

5. Our information is not yet clear what the word "landholders" is proposed to mean for the purpose of defining the qualifications of the voters. From what, however, we could learn during the informal conference with Commissioner, it seems that the word "landholder" may be intended to include both the permanently settled Zamindars and the landholders as defined in the Assam Land Revenue Regulations. To this, however, we submit our respectful protest as a departure from the principle hitherto recognised by Government in distinguishing between the permanently settled Zamindars and Khas Mahal landholders.

6. Although not quite pertinent to the present question, we would venture to suggest that we have no objection to a separate seat being given to represent the interests of the landholders, Nispikhirajdars and Lakherajdars of the Assam Valley Districts-Khas Mahals. They are an important body, and if we may be permitted to express our opinion, we would submit that they are entitled to separate representation. The electorate for this representation may include all Khas Mahals either in the A. V. D. or in the S. V. D.

7. What we want to bring to the notice of the Government for favourable consideration are—

- (i) that the interests of the permanently settled Zemindars in this Province are important enough to have two representatives in the proposed Council;
- (ii) that the Zamindars in the district of Goalpara for peculiar circumstances and conditions may be given a separate representation by election;
- (iii) that the permanently settled portion of Goalpara and the other Khas Mahal districts of the A. V. D. cannot form one electorate as their interests are not identical.

i. (a) In the whole Province of Assam, only portions of the two districts of Goalpara and Sylhet are permanently settled, and, as such, it is not considered desirable that these permanently settled estates should be separated from each other and joined to Khas Mahal tracts.

Reasons.
(b) In the Assam Council, besides those elected to represent this class of Zamindars, we cannot expect any other elected member to be interested or having experience in permanently settled estates: whereas in the Bengal Council or the Behar Council most of the elected members, besides those specially representing the permanently settled Zamindaris, are either themselves Zamindars or thoroughly conversant with the laws and incidence of permanently settled Zamindaris.

(c) In the Assam Council the official members will naturally represent the interests of the raiyats. In making this assertion we only repeat the Government view as quoted in the margin. The other interests and classes will also doubtless be represented in the Council. At least two members with a sympathetic Government may be expected to safeguard the interest of the permanently settled Zamindars to some extent, and it is humbly submitted that this number is perhaps not at all disproportionate if the importance of their interests and its peculiar situation in this Province be considered.

In framing these proposals we have not lost sight of the fact that the interests of landlords and tenants are by no means identical; that our electorates will consist mainly, if not exclusively, of the former class, and that no means can at present be devised of giving the great body of tenants direct representation on the Legislative Councils. Their interests, however, are in no danger of being overlooked. In the debate in the House of Lords on the 6th of March 1890 both Lord Ripon and Lord Kimberley pointed out that when the Bengal Tenancy Act was under discussion in Lord Dufferin's Council "the only representative of the raiyats was the Government." Among the official members of the Legislative Councils there will always be some experts in Indian Land Questions who will be qualified to represent the views of the cultivators. (Papers relating to Constitutional Reform in India, Volume I, page 13.)

ii. (a) Because communication between these two distant districts is very difficult and the chances of frequent meeting and exchange of views amongst their people are therefore very remote. This is one of the reasons why the Goalpara Zamindars should have a separate representation, although their interests are the same as those of the permanently settled Zamindars of the Surma Valley Division.

iii. (a) The foremost reason we would respectfully point out to the Government to consider is whether the formation of one electorate with these two classes having no interests in common would not be a violation of the principle of having the same and common interest for all the members of one electorate hitherto recognised and acted upon by the Government.

(b) Because landholders of A. V. D., as defined in the Assam Code, and the permanently settled Zamindars do not represent the same interest.

This distinction between the different classes of landholders was recognised by Government during the formation of the E. B. and Assam Council.

- (1) The word "landholder" as defined in Section 8, Assam Land and Revenue Regulation I of 1886, excludes persons within the permanently settled estates.
- (2) The same word "landholder" was defined in the Rules for the election of a

(Vide page 237 E. B. and Assam Gazette, Part I, published on November 17th, 1909.)

member or members by the landholders as including only the proprietors and sharers and permanent tenure-holders, &c.

Regulation in the Proceedings of the Conference in Dacca held on 18th August 1909.

"No objection was raised to the proposed exclusion of the raiyatwari tracts of Assam from participation in the franchise given to landholders."

(3) The Khas Mahal landholders were excluded after mature deliberation from participating in the franchise given to landholders.

(c) The laws governing the Khas Mahals including the Lakherajdars and Nispukherajdars and the permanently settled estates are different. The revenues paid by the Nispukherajdars of Upper Assam, we understand, are variable.

The same reasons hold now also and we fail to see how the permanently settled Zamindars of Goalpara can be joined to the A. V. D. landholders, whose laws and incidents of tenures are totally different.

For the reasons stated before, it is humbly suggested and respectfully prayed that the two members proposed to be allotted to represent the interests of the landholders may be confined to the permanently settled Zamindars of the Surma Valley and the Assam Valley and that a third seat may be allotted to the landholders of the Khas Mahals in both the Divisions—

- Prayers and suggestions.*
- (i) To summarise, we would, in the first instance, pray that out of the two seats reserved for the landholders, one may be reserved for the permanently settled Zamindars of Goalpara and the other for the permanently settled Zamindars of the Surma Valley and that for the purpose of electing these two members electoral colleges may be formed, *vis.*, one for the permanently settled area of Goalpara alone and one for the permanently settled area of the Surma Valley Division.
 - (ii) That in case a separate electorate be not considered expedient, one electorate be formed with all the permanently settled Zamindars of the whole Province, *i.e.*, Goalpara and Sylhet, but that this joint electorate do return two members, one being reserved for the Zamindars of the district of Goalpara.
 - (iii) That in case only one member be allowed to represent the permanently settled Zamindars in the proposed Assam Legislative Council, one electorate be formed with all the permanently settled Zamindars in the whole Province (*i.e.*, Goalpara and Sylhet), but that the same electorate do elect one member to the Council from Sylhet and Goalpara respectively during alternate elections.

It is humbly pointed out that it will be a great disappointment to the Zamindars of Goalpara if a member to the Council by election is not secured to them. The kind and sympathetic treatment then recently received at the hands of the Hon'ble the Chief Commissioner of Assam, make them hope that these prayers would receive the careful consideration of the Government of Assam.

It is also earnestly hoped that as kindly assured by the Commissioner, we may be given full opportunities of discussing this important matter affecting us so vitally, and of submitting our views more fully, before any discussion is arrived at by the Assam Government.

(Sd.) RAJA P. C. BARUA,

(Sd.) R. N. CHOUDHURI,

AND OTHERS

And made over to the Deputy Commissioner of Goalpara for transmission to Government through the Commissioner, Assam Valley District.

ANNEXURE III.

Extract from a Speech by the Maharaja of Darbhanga in Calcutta,
August 7, 1918.

THE PERMANENT SETTLEMENT.

Especially must the lead be yours in the efforts that should be made in the matter of removing the many illusions and misconceptions that are to-day prevalent in various quarters, high and low, European and Indian, official and non-official, with respect to the permanent settlement. The misconceptions are mostly due to ignorance, and every effort should be made by our Associations to disseminate correct information regarding the condition of Bengal, prior to the introduction of the permanent settlement, the circumstances under which Lord Cornwallis gave effect to it, the nature of the solemn pledge that was given by the Government at the time of settlement, and the many subsequent circumstances which have gone to add to the strength of the promise. We should draw attention to the fact that if an abwab levied by a Zamindar does not cease to be an abwab because he calls it by any name he pleases, and if a Zamindar is liable to damages under the Tenancy Laws or to have his estate taken over by the Court of Wards, an abwab levied by the Government on a Zamindar does not cease to be an abwab even if the pill is gilded by its being called a "cess" for particular purposes, and is equally reprehensible under the moral code which teaches that might is not right and that a scrap of paper should be respected even if he who holds it is too weak to do anything but protest against the repudiation of pledges solemnly made. The Zamindars of Bengal firmly believe that a distinct pledge was given to them in 1793, and on the strength of this pledge land worth crores of rupees has changed hands since the permanent settlement; and I know that they will respectfully but with all the emphasis they can command protest against the political extinction which would be their certain fate if any attempt be made to destroy the permanent settlement. Equally is it important that true information should be diffused regarding the hollowness of the statements about the fabulous hoards which the Zamindars are credited with possessing—the general indebtedness, on the contrary, of the aristocracy and the special expenses which the position of a landlord entails. It is unfortunate that very few who are not Zamindars can appreciate the peculiar difficulties of the position of a Zamindar, and it is all the more necessary that a steady and continuous educative propaganda should be set afloat, so that the public and all the people concerned may have a correct idea about the landholders. The landholders of the present day have anything but a bed of roses to lie upon. They have either peculiar responsibilities, peculiar disabilities, or peculiar difficulties, and in fairness to them these should not be allowed to be lost sight of.

THE REFORM SCHEME.

Speaking on the Reform proposals, the Maharaja referred to the speech delivered by him at Patna, and pointed out the need for organisation. The landholders in the country, he said, and the various Associations which represent their interest, did not take adequate steps to press their case before the Viceroy and the Secretary of State in any manner commensurate with the real gravity of the situation. Even now it is not too late, and surely if we tarry now, we will have to repent for ever the folly of having allowed our best opportunities to slip from our hands. Every step should be taken to thoroughly organise the Zamindari interests spread broadcast in the country, and draw up an effective representation on their claims, so that before the new scheme is drafted into a Bill our representatives may have impressed on the Government the justice, the equity, of our prayer.

It is now of the utmost importance that such amongst us as have the time, inclination, and aptitude, should make a thorough study of the Reform Scheme and prepare notes showing in what respect the interests of our community are adversely affected and the remedies that we should ask for in justice to our claims. These notes will be of immense value when a representation will be drawn up on behalf of the landholders of all India, and when the importance and urgency of the latter are realised, I am confident that many of you will gladly come forward to render this great service to our cause.

In conclusion the Maharaja said: I again implore you, the Zamindars of Bengal, to come forward and lead the rest of the country. On you will be the glory of having, at an important crisis, come to the rescue of the community and helped it to preserve intact its status, influence, and importance, or the unenviable distinction of having slept while you should have been awake, of having succumbed to lethargy and indolence when you should have been up and doing; but I am confident that the latter is not for you and that you spurn it. I pray to Almighty Providence to give you power and guidance to lead you to the nobler path, so that yours be the glory and yours the proud privilege to have led your brethren to a richer and higher destiny.

ANNEXURE IV.
ASSAM PROBLEMS.
THE CHIEF COMMISSIONER AT DHUBRI.
(FROM A CORRESPONDENT.)

Dhubri, Sept. 1.

Speaking at a meeting on the 31st ultimo, on the occasion of his visit to Dhubri, the Chief Commissioner of Assam (the Hon'ble Mr. Beatson-Bell) said: Before we close this meeting I must thank you all for the kind welcome which you have given me to your district. I have often been here before, though not in my present capacity, and I am glad to renew old memories and old friendships. I have tried to make my visit as informal as possible and to discuss your problems with you in an informal manner. I have therefore had many talks with you, both individually and collectively, on the difficult question of your land laws. Believe me, nothing was further from the intention of my predecessor, and nothing is further from my own intention, than that either party—landlords and tenants—should be "rushed." I find that you admit, one and all, that the present state of your land law is altogether unsatisfactory. More than a quarter of century ago you adopted an enactment which had already been discarded as obsolete in the province of its birth. The wonder is that you have been able to carry on so long. However, though you all want some change you all have different opinions as to what the change should be. Mr. Laine has made a very careful inquiry and has submitted a most lucid report, containing the material for a draft Bill. I am afraid most of you have not yet had time to digest these proposals. As far, however, as I can gather, the trend of the landlords' thought is, first, that they do not want to be "isolated" and secondly, that they would like to have the legislation postponed perhaps until after the war, perhaps until after the fruition of the Reform Scheme. Many of the tenants have very similar feelings. The desire to be rescued from isolation means one of two things either that the Bengal Tenancy Act should be introduced *en bloc* into Goalpara or that a new draft Bill should be prepared covering both Sylhet and Goalpara. The first alternative is open to grave objections; the second involves grave delay.

If, therefore, you still press for the postponement of Mr. Laine's Bill I must really ask you what measure you are prepared to accept as a temporary solution of the problem. I have thrown out certain suggestions to you and I have asked you to consider them. The next move rests with you—the landlords and the tenants.

THE REFORM SCHEME.

Another matter on which we have had many friendly talks is the report on the Reform Scheme. I was glad to find, exactly as I expected, that the leaders of thought in Assam were examining the question calmly and patiently, without racial passion and without prejudice. What we all desire is that the people of Assam, in the widest sense of the word, should gradually come to manage the affairs of Assam. By the "people of Assam" we mean all sections of our countrymen, Hindus, Muhammadans, and Animists, and we include—let us never forget it—the great British community which has settled in the province, has taken part in every phase of its public life, and has done so much to make the province what it is to-day. The solution of the whole problem is difficult everywhere but there is probably no province where the difficulties are so great as in Assam. We cannot shut our eyes to the geographical fact that about two-thirds of the province consists of hill tracts which have not yet begun to enjoy any representative government and which (for the present) must necessarily be excluded from the scheme. The remainder consists of two mutually inaccessible tracts of lowland inhabited by people who speak, in the main, different languages and follow, in the main, different religions. Yes, the problem is difficult, but we are trying to solve it. Let us go on examining the report in a quiet and hopeful spirit. I am looking forward to receiving at an early date the opinions of the leaders of the people. I know that these opinions, both those of Britons and those of Indians, both those of officials and those of non-officials, will be honest and helpful and worthy of the occasion.

Dated Sylhet, the 26th November 1918.

From—Babu HARENDRA CHANDRA SINHA, Secretary, People's Association, Sylhet.
To—The Chief Secretary to the Hon'ble the Chief Commissioner of Assam.

With reference to your letter No. 1502W., dated the 18th November 1918, I have the honour to submit the statement prepared by Babu Kshitish Chandra Das, B.L., who has been nominated by my Association to give evidence before the Reforms Committees. The date that will be fixed for his appearance in Calcutta may be communicated to him.

Notes on the Reform Scheme by Babu Kshitish Chandra Das, B.L., Pleader and Witness nominated by the Sylhet People's Association to give evidence before the Reforms Committees.

GENERAL REMARKS.

At a meeting of the Assam Legislative Council held on the 5th October 1918, the Hon'ble the Chief Commissioner of Assam, in inviting the non-official members to a discussion of the details of the Reforms Scheme, hinted certain points whose consideration from the point of view of practical working may bring up matters likely to stand in the way of giving a free and full effect to the recommendations made in the Joint Report. He spoke as follows :—

"About the two-thirds of the province (Assam) consists of Hill districts, the inhabitants of which are altogether unrepresented in this house. The first point which you will consider is, therefore, in what portion of the province you propose to introduce the new scheme. If, as I imagine, you decide that the scheme should for the present be confined to the two valleys, you will, as practical man, survey these valleys as they really are and look the fact straight in the face. To my mind, there are three outstanding facts. The first is that the combined population of the two valleys is rather less than the combined population of the two neighbouring districts of Bengal—Mymensingh and Dacca. The second fact is that the Assam Valley is inhabited by Hindus speaking Assamese, while the Surma Valley is mainly inhabited by Muhammadans speaking Bengalee. The third fact—and it is a fact which inspires me with great hope—is that throughout both valleys you have a sturdy community of British settlers, etc., etc."

A far more important fact, which has not been adverted to in the above speech, but which, in my opinion and in the opinion of my Association, deserves more prominent consideration, is that the people of the two valleys, speaking different dialects, stand wide apart in their aims and ideals, social characteristics and natural sympathies. Before the creation of a Legislative Council in Assam there was such an absence of community between them that there may yet be some doubt whether the province of Assam, as at present constituted, will form a suitable basis for the creation of an autonomous state or whether the whole of it can be welded into a homogeneous political unit.

On the other hand, public opinion in Bengal, as well as in the Surma Valley and other areas outside the province of Bengal, where Bengalis reside, is strongly in favour of the incorporation of all the Bengalee-speaking areas within one autonomous administrative unit. It was this natural aspiration which, together with the consideration of the difficulties last mentioned, as well as the apprehension that there might be reasons put forth from the official quarters against the introduction of the Reform Scheme in full details on the ground of the alleged backwardness of the province, led my Association to submit a memorial to His Excellency the Viceroy and the Secretary of State on the 29th October 1918, and strongly to press through a deputation the early fulfilment of the desire of the people of Sylhet to be re-united with their brethren in Bengal, where they might participate in the enjoyment of political privileges that the Reform Scheme might bring to the doors of the Bengalee race. Unfortunately, however, the Joint Report of the Viceroy and the Secretary of State has postponed the question of redistribution of territories for future consideration. Under the circumstances, I, on behalf of my Association, beg to give the outline of a reformed constitution for the province of Assam with a view to obtain a liberal treatment for Assam in the application of the recommendations contained in the Joint Report.

2

Whatever might be the force of the considerations urged by my Association in the memorial, with reference to the question of the amalgamation of Sylhet with Bengal, those considerations do not stand in the way of giving effect to the recommendations of the Joint Report in Assam. The difficulties that were urged in the Hon'ble the Chief Commissioner's speech quoted above or other difficulties, financial or otherwise, that might be anticipated, are not insuperable and shall have to be met and provided against. The Reform Scheme, as shadowed in the Joint Report, should not be curtailed in material particulars on any such ground. If it is contemplated to develop the present Government of Assam on the lines outlined in the Joint Report for fear of heavy expenditure in the proper maintenance of a fully-equipped executive government and a considerably enlarged legislative council, curtailment of the Scheme in important details might be the result. This contingency, my Association apprehends, will be viewed with keen disappointment by the people and they will strongly resent any mutilation of the Scheme itself; and the Bengalee population in Assam will find it difficult to reconcile themselves to any differential treatment with Bengal in the extension of the rights and privileges under the Reform Scheme. The people of Sylhet will particularly grudge such a situation as being in direct contravention of the assurances held out to them in 1874, when their district was cut away from Bengal by the Government of Lord Northbrook against the wishes of the people only to benefit a backward administration then brought into existence for the first time. My Association claims it on that basis that Sylhet should have extended to her the Scheme in such details and on such liberal principles that there may not arise any disparity in the extent of the rights and privileges which might fall to the lot of the people of Bengal. Any differential treatment accorded to the people of Sylhet on the ground of its being placed in a backward province is sure to raise anew the question of the incorporation of Sylhet with Bengal in an acute form.

The real solution of the difficulty with regard to the Bengalee-speaking areas, particularly the Surma Valley, is to place them under the Government of Bengal. This would be as much in recognition, though belated, of the policy enunciated in the memorable Despatch of August 1911 and re-iterated in the Joint Report, as it would mean a fulfilment of our earnest desire expressed through various memorials to the Secretary of State, the Viceroy, and the Chief Commissioner of Assam.

The authors of the Joint Report in paragraph 245 say—"But we are bound to indicate our own opinion that wherever such redistributions are necessary and can be effected by process of consent the attempt to do so should be recognised as one of the earliest duties incumbent upon all reformed provincial governments to test provincial opinion upon schemes directed to that end." If, however, the introduction of the Reform Scheme immediately brings these difficulties into prominence, my Association does not see why the question of redistribution where it can be effected "by process of consent" should not be considered along with the consideration of the Scheme, and specially when it is necessary to avoid departure from the clearly enunciated principles outlined in the Joint Report.

If the Administration of Assam cannot pay its way, the only solution which suggests itself to my Association is to have both the valleys (excluding Hill areas) transferred to Bengal.

No advocate of responsible form of government in Assam can rest contented with the Reform Scheme curtailed and mutilated; and my Association cannot accept for the people of Sylhet a scheme of administration crippled and cut down in important details, while they will see before their eyes their brethren in Bengal enjoying the full benefit of measures planned out on a liberal basis.

If the aforesaid proposal of my Association be accepted, a separate scheme for Assam will not be necessary.

On the points referred to the two Reform Committees, the suggestions of my Association will be the following with special reference to the Surma Valley, excluding the Hill areas within it.

As desired in the Chief Secretary's letter No. 1502W., dated the 18th November, statements are given separately for the two subjects under enquiry of the two committees.

FRANCHISES AND CONSTITUENTS.

I.—PROVINCIAL LEGISLATIVE COUNCIL.

1. (1) and (2).—My Association is of opinion that election to Legislative Council should be by direct representation and on as wide a franchise as possible.

As to the formation of general electorates, my Association would suggest district or division as the basis whose population upon qualifying themselves for the franchise shall be automatically placed upon the Election Register.

We have at present a Legislative Council, 11 members of which are elected. We know how very inadequate the representation is, and we would naturally aim at making the representation very much broader, even if the size of our proposed council would appear large, for our intention is to carry the right of franchise to the masses.

We further know how difficult it is to give mathematically equal representation to various areas of the province where variations are likely to arise among the different districts and among the different subdivisions of a district itself. My Association, therefore, thinks that population should be the factor in determining electorates allowing franchise on a wide scale to a certain percentage of them.

The population of the Surma Valley is in round numbers about 30 lakhs, and the suggestion of my Association is to give the right of franchise to 38 thousand among them on qualifying standards hereafter suggested. To give one member to every thousand voters, whose number in the Surma Valley should not be less than 38,000, Surma Valley should have 38 elected members in the Legislative Council; and allowing room for nomination of 7 members, the total of 45 intended for the Surma Valley will give representations to 1.5 per cent. of the population to the Council. As the other valley has the same population, they may have the same number of members, but the proportion of their nominated element to the elected may be fixed by reference to the circumstances of that area. Thus between the two valleys the number of non-official nominated members should be 14; but the number of officials to be nominated should not exceed 5 for the whole province. The total strength of the Assam Legislative Council will thus be 95.

In the rural areas of the Surma Valley, the parganas may be classed under a number of groups or units classified on the basis of population and voting strength as described above. In the alternative, thanas may be made such units, provided the requisite number for representation by election be obtained. Subdivisions should on no account be taken as units, for they will fail to equalise the proportion of representation on any basis whatever.

For voters both in the rural and urban areas the qualification should be a certain minimum of any kind of rates, taxes or revenues or a certain minimum educational qualification. Besides these, the possession of any of the following qualifications should in the alternative also entitle for a vote in the election:—

- (1) Payment of income-tax.
- (2) Holding posts carrying salary of Rs. 30 or upwards under the Government or any private agency.
- (3) Enjoying Government pension of Rs. 25 a month.
- (4) Holding Government titles.

In all cases the primary condition should be 21 years of age.

Rural Electorates.

In the rural areas, chaukidari tax is, in the opinion of my Association, the surest guide to go upon and the minimum limit for it should be Re. 1-2 per annum. In the alternative, payment of land revenue to a minimum of Rs. 20 in the temporarily-settled areas and Rs. 5 in the permanently-settled areas or local rate of Re. 1-4 should also qualify. The educational test should be Middle Examination (Middle Vernacular or Middle English), Pass Certificate or any certificate of any Sanskrit or Madrassa Examination of the corresponding standard. The teachers of *tols* and *madrassas* of three years' standing should also have votes. Any one of these tests applied exclusively may not yield the desired number of voters, but their application as an alternative will work well.

The population in rural areas has been hitherto unexplored for the purposes of our legislative councils. Although the Muhammadan voters of the special electorate, the zamindars and the rural members of the Local Boards have enjoyed the right of voting, they have generally been content to give their votes to some one residing in the town. In many cases rural voters have been found reluctant to vote on account of the distances to be travelled. It is therefore essential that polling centres should be as numerous as possible in order that voters may take direct interest in the election.

From among the 38 elected members suggested for the Surma Valley, the members for the municipal areas may be taken. The fact that this constituency has hitherto given really capable representatives to the legislative council should not be lost sight of and the urban population should have the franchise on an equally broad basis as in the rural areas. One member may be given to each of the municipalities with a population up to a limit of ten thousand. Where this is not practicable without some encroachment on the number from the rural areas, municipalities may be grouped into units giving one member to each ten thousand of the population. These members should be elected by the rate-payers themselves, the voting qualification being fixed at a minimum rate of Rs. 3 or an educational qualification such as Matriculation Pass Certificate.

(3)—In the province of Assam taken as a whole the Muhammadans are in a minority, but they form a majority in the Surma Valley, where their population stands to that of the Hindus in the proportion of 15 : 14. The Muhammadans of the Surma Valley cannot by any stretch of imagination be said to be a backward community. The question of a special electorate for them, therefore, does not arise in the Surma Valley unless their number of voters fall far short of those belonging to the Hindu community.

If it is thought necessary to safeguard Muhammadan interests in the Surma Valley, this may be done by reserving for them a certain number of seats in plural constituencies.

No other interest should have special representation, it being opposed to the principle enunciated in the Joint Report. The representation of backward communities and important minorities might be secured by nomination within the limit suggested. Special privileges should not be allowed to injure the interests of those entitled to representation by election.

(4)—The Legislative Council should contain a four-fifths elected and one-fifth nominated element. With 95 members the Assam Legislative Council can have room for only 19 nominated members, of whom not more than 5 shall be officials.

The distribution for the two districts within the Surma Valley may be as sketched below :—

Elected	...	...	...	...	...	38
Cachar	...	...	...	...	...	5
Sylhet	...	...	...	...	...	33
Municipalities :—						
Cachar	...	...	...	...	...	1
Sylhet	...	...	...	...	...	3
						} 4
Rural areas :—						
Cachar	...	...	...	...	...	4
Sylhet	...	...	...	...	...	30
						} 34

My Association does not particularly mention any important minorities whose interest may be secured by nomination if anyone of them fails to get adequate representation by election.

GOVERNMENT OF INDIA.

We were promised a substantial step towards responsible government in the administration of India. But the Joint Report has not extended it in the central government, but has limited it to the provinces only. My Association therefore suggests that the principle of responsible government should be introduced in the Government of India simultaneously with the provinces. The Legislative Assembly is given no power but a shadowy authority called "influence." It is also designed to place over its head a supreme legislative authority called the Council of State, whose composition has very little of popular element in it and is open to the objection that its method of work seeks to perpetuate the very kind of rule which the authors of the Joint Report have condemned. The necessity of a Council of State is what my Association would object to on principle and on the strength of the declaration of August 1917.

II.—THE INDIAN LEGISLATIVE ASSEMBLY.

The Legislative Assembly should consist of 150 members, four-fifths of whom shall be elected and one-fifth nominated by the Government of India, of whom not more than half shall be officials. Of the 120 elected members 6 should be returned from Assam by indirect method of election through members in the provincial legislative council if the direct method be not found feasible.

III.—THE COUNCIL OF STATE.

If the Council of State is at all to be retained, as to which the views of my Association have already been set forth, its lease of life should not extend beyond the transitional period by which time the whole machinery of the Government of India should be made responsible to the Legislative Assembly. Its constitution should consist of one-half elected element and the process of certification should be confined only to the "reserved" subjects. The method of election may be as suggested in paragraph 277 of the Joint Report and the number of members for Assam should be 2.

IV.

As it is not the intention of the Local Administration to include Hill tracts within the application of the Reform Scheme, their government may be placed directly under the Government of India; and the Assam Government, which will be constituted on a popular basis, should not be asked to pay for the maintenance of the machinery of the government within the Hill areas.

DIVISION OF FUNCTIONS.

I and II.—To constitute a substantial step towards responsible government in India—

- (1) A system of reserved and transferred subjects similar to that proposed for the provinces should be adopted for the Central Government ;
- (2) The reserved subjects in the Government of India should be foreign affairs, army, navy and relations with ruling princes and matters directly affecting the peace, tranquillity and defence of the country, and all other subjects should be transferred.

In the provincial governments, all subjects, with the exception of Law, Justice, Police (Prisons excepted), should be transferred to the Legislative Council and administered through ministers, whose number in Assam should be 3 and who should receive salaries equal to those of the members of the Executive Council. The two executive members should have charge of the reserved subjects between them.

There should be no additional members of the Executive Council without portfolios. At least half the members of the Executive Council should be Indian.

The budget should be under the control of the Legislature subject to the contribution to the Government of India and to the allocation of a fixed sum for the reserved subjects. Should fresh taxation be necessary, it will be imposed by the Provincial Council.

From the commencement of the first reformed council the principle of responsibility of the ministers to the Legislature should be recognised and given effect to.

KSHITISH CHANDRA DAS.

No. 504, dated P. O. Goharpur, the 6th November 1913.

From—Maulvi ABDUR RAHIM CHOWDHURY, Secretary, Surma Valley Muhammadan Zemindars' Association, Sylhet,

To—The Chief Secretary to the Chief Commissioner of Assam.

With reference to your letter No. 1367W., dated the 19th October 1913, I have the honour to inform you that I have been nominated by my Association to represent its views before the Franchise and Division of Functions Committees.

I therefore request that you will be so good as to inform me in time when and where to appear before the Committees.

As a scheme is to be submitted beforehand for the consideration of the Committees, I beg to submit the following observations for favour of forwarding to the Committees. My observations of course relate to the conditions in the Surma Valley.

I.—Provincial Legislative Council.

1. (a) I entirely agree with the authors of the scheme that the franchise should be as broad as possible and representation adequate and direct; keeping this in view I would suggest that in Surma Valley persons paying a minimum chaukidari or municipal tax of Re. 1 should have a vote. As the districts of Surma Valley are very poor, proper representation is not possible to secure unless the franchise is kept low.

(b) Pleaders, Mukhtars, Madrassah passed Manivis, Graduates, Doctors not below Sub-Assistant Surgeons, Hekims and Kavirajes holding a diploma from a known body, Government officers drawing a salary of Rs. 50 per month, persons paying an income tax, Honorary Magistrates, Commissioners of Municipalities and members of Local Boards should also have votes.

2. The centre of polling should be the district headquarters and subdivisional headquarters and the attesting officers should be the Deputy Commissioner, Additional District Magistrates and Subdivisional Officers. Police stations should be the last place.

3. Communal representation from special electorate should be conceded only to the Muhammadans, landholders and Anglo-Indians. The Anglo-Indians or rather the planting community, though their number is small, have considerable interest in the country and they deserve separate representation from their special electorate. The qualification for landholders should be payment of Rs. 100 as revenue or local rate. As to the qualification of Anglo-Indians, the matter may be left to them. No other community deserves communal representation.

4. Decision of objections should rest with the Deputy Commissioner in Sadr and Subdivisional Officers in subdivisions.

5. The total strength of the Assam Council should be 50, of which 38 should be elected and the rest nominated from officials and non-officials. Of this 38 seats, there should be 19 in each Valley. Of this 19, 8 should be elected from special Muhammadan electorate, 7 Hindus, 2 landholders and 2 Anglo-Indians.

II.—Indian Legislative Assembly.

The strength proposed in the Reform Scheme, 100 for the whole of British India, seems to be too small for such a vast country and population. I would therefore suggest a total number of 150, to be distributed as follows:—

Three Presidencies at 15 each	...	...	...	...	45
United Provinces	...	...	...	...	12
Punjab	...	...	...	...	11
Bihar and Orissa	...	...	...	...	11
Central Provinces	...	...	...	...	8
Burma	...	...	...	...	7
Assam	...	...	...	...	6
					<hr/> 100
					NOMINATED.
Officials	...	...	...	...	32
Non-officials	...	...	...	...	18
					<hr/> 150

Of the 11 seats for Punjab, 1 should be reserved for Delhi which is the Imperial enclave and seat of the Central Government. I refrain from making any observation as to the seats in the Provinces other than our own, as I am not aware of the conditions there.

As to the 6 seats in Assam, 2 should be reserved for Muhammadans from special electorate.

As in the cases of Provincial Legislative Councils, the members of the Indian Legislative Assembly should be returned by direct election.

As the people of Assam are poor, a lower franchise than other Provinces is necessary to secure a wide representation and I will suggest as a qualification—payment of Rs. 250 as Government revenue or local rate, or the payment of an income tax of the same amount.

III.—Council of State.

As to the Councils of State, I agree with the authors of the scheme.

Memorial from Babu PYARI MOHAN DAS, Pleader, Secretary to the Mahishya Samitee, Sunamganj, Sylhet, to the Chief Commissioner of Assam (through the Deputy Commissioner, Sylhet), dated Sunamganj, the 18th September 1918.

1. That Your Honour's humble memorialist perused with unmitigated pleasure and deep sense of gratitude the Report on Indian Constitutional Reforms and finds it to be a master-piece prepared in a statesmanlike way so as to safeguard the interests of all concerned.

2. That it is most gratifying to note that the report proposes to retain power to protect public services and the interests of the masses to intervene in case of abuse and to maintain supreme authority of the British Government in all important and vital matters affecting the people in general in cases of mal-administration and the like (*vide* paragraphs 155, 156, 240, and 260, etc.).

3. That for reasons more than one the spread of English education in India has not been up to expectation and that to quote the words of the report among the Hindus education has been very much a matter of caste (*vide* paragraph 134 of the report). Educational advancement has not reached the rural population proportionately to its numerical strength, and that, owing to this uneven distribution of education, there has been a sort of monopoly in the enjoyment of public services (*vide* paragraphs 4 and 5 of the Resolution of the Government of Eastern Bengal and Assam of the 15th February 1907 as published at page 131 in the Supplement to the *Eastern Bengal and Assam Gazette* of the 16th February 1907). To remedy the evils consequent on such a state of things so sincerely alluded to in the last line of paragraph 155 and paragraph 138 of the report, Your Honour's memorialist begs respectfully to suggest the spread of English education to a common level in India, and that to educate India to a common level it is but necessary that Middle English and High English schools may be established largely according to the needs and demands of the people in suitable places in the mufassils, and that free studentships and special scholarships be reserved for the educationally backward people of several castes and creeds in proportion to their numerical strength, and that no political expediency and the like should interfere with the just claim of the people on the kindness of the Government.

4. That the educated section of the Indian population do not represent the masses has rightly been indicated in paragraphs 136, 138, and 155 of the report. This decision finds support in the action of the Dacca People's Association when in 1911 the Association in an address to the then Viceroy, Lord Hardinge, prayed for special representation in the councils for the educated community. This sort of prayer of a people's association is a commentary on the constitution of like associations held up as bodies to represent people of all castes and creeds. It is relieving to note that Government has understood the real state of things and is moving in the right direction.

5. That the principle of contribution to the public fund, *i.e.*, to the revenue of the country, for which the different Mahishya samitees have been pressing on the attention of the authorities so long, has been recognised at paragraph 136 of the report to the entire satisfaction of the Mahishya community.

6. That, in the interest of the people in general to give them a share in the governance of the country, it is but meet and just that every land-owning proprietor without limitation and restriction, every tenure-holder and every occupancy raiyat, each of whom has a stake in the country, may possess a right to vote in the election of members in councils. Educational qualification for a voter may be limited to primary education, and that this will, Your Honour's memorialist honestly believes, give inducement to the raiyats to take to education as well.

7. That the Mahishya community which the Sunamganj Mahishya Samitee represents has a thin layer of aristocracy decaying for want of proper nourishment and is one of the important castes of Bengal and Assam. Though large, it is educationally backward. It is mainly agricultural and rural. A tolerably good number of the community is land-holders paying revenue direct to the Government, and a very large number is substantial tenure-holders and raiyats. The community represents an important part of the landed interests of different kinds in the country, contributes not an insignificant quota to the revenues of the country, and has, thus, a great stake therein. But being almost unrepresented in Government service and every other place, the Mahishya community forms a minority interest. They have little pretensions to politics and have implicit faith in the sense of justice of the Government.

8. That though communal representation in councils has not been favoured, the proposal of representation of minorities by nomination in paragraphs 225 and 232 of the report is most re-assuring and has, Your Honour's memorialist ventures to say, given consolation to all concerned.

9. That Your Honour's memorialist begs to annex herewith a note on the Mahishyas to show their past and present degree of importance.

10. That assurances regarding patronage in favour of the Mahishya community as conveyed to them by the Government of Eastern Bengal and Assam's circular letter No. 1392C. of 1907, addressed to the Assistant Secretary to the Sunamganj Mahishya Samitee and by its letter No. 948A., dated Dacca, the 22nd February 1912, addressed to the Secretary to the Dacca Mahishya Samitee, copies of which have been adumbrated in the notes on the Mahishyas annexed and the policy of the Government underlying the extract at page iii of the Report on Indian Constitutional Reforms, which runs to the effect that though "we are looking to the future we are not unmindful of the past," embolden the Mahishyas and fill their minds with great hopes and aspirations.

11. That Your Honour's humble memorialist most fervently prays that Your Honour will be graciously pleased to consider the case of the Mahishya community favourably; and

- (i) To introduce free primary education and to bring English education home to the Mahishya community by reserving scholarship and free-studentships to be enjoyed by them adequately in common with other educationally backward communities, and by establishing High English and Middle English schools in suitable places in the mufasils when funds are available;
- (ii) To make public services of all kinds duly representative of the several deserving Indian castes and creeds as recommended in the Report of the Public Service Commission, wherein, in all fairness and justice, communal representation in public services has been proposed to be based on numerical strength, influence, caste-characteristics and education; social matters and other considerations and not religion alone to be regarded as the line of cleavage (*vide* paragraphs 18 and 46, 14 of Annexure IV, and 60 of Annexure X of the Report of the Public Service Commission of 1912), so that the Mahishya community may get its proper share in the responsibility of the Government of the country in common with the rest of India;
- (iii) To grant nomination in councils in favour of the Mahishya community in common with other deserving minorities;
- (iv) To arrange for every stake-holder in the country to vote in the election of members in councils;
- (v) To grant such other boons as will ensure for the benefit of the Mahishya community in common with other deserving minorities; or
- (vi) To forward the memorial to the Viceroy if Your Honour thinks proper with such remarks as Your Honour deems fit.

And Your Honour's humble memorialist shall, as in duty bound, ever pray.

Dated Sunamganj,
The 18th September 1918.

PYARI MOHAN DAS.

QUALIFICATION OF MUHAMMEDAN VOTERS FOR RETURNING MUHAMMEDAN MEMBERS TO THE ASSAM LEGISLATIVE COUNCIL.

1. The voter should be male and of 18 years or more in age and of sound mind.
2. He should either (a) pay land revenue of Rs. 20 or upwards either to Government, or to a Zamindar, or
 - (b) pay income-tax, or
 - (c) pay Municipal tax of Rs. 3 or upwards, or
 - (d) be an Imam of any Musjid, or
 - (e) be teacher of any school or Madrasah, or
 - (f) be able to read and write English or has passed the Middle Vernacular or Middle Madrasah Standard; or
 - (g) be a *Sarkari Gaonbura*.

CONSTITUENCY.

1. If the Muhammedans of the Brahmaputra Valley are to return only one member to the Assam Legislative Council the whole Valley is to constitute one constituency.
2. If they are to return two members, the upper three districts, namely, Lakhimpur, Sibsagar and Nowgong ought to form one constituency and the other three districts, namely, Darrang, Kamrup and Goalpara is to form the other.
3. If they are to return three members Lakhimpur and Sibsagar may form one constituency, Nowgong and Darrang one; and Kamrup and Goalpara the other.
4. If they are to return four members Lakhimpur and Sibsagar and Nowgong may be allowed jointly to return two members and the three other districts jointly to return the other two members.
5. If they are to return five members :—

Lakhimpur	...	...	...	One.
Sibsagar	...	...	...	One.
Nowgong and Darrang	...	...	...	One.
Kamrup	...	...	...	One.
Goalpara	...	...	...	One.
6. If six members are to be returned each district may have one.

ELECTION.

Elections should be held at the district and subdivisional head quarters under the presidency of some Government officer not below the rank of an Extra Assistant Commissioner.

1. The Assam Legislative Council should contain at least 50 members who are to be distributed as follows :—

(a) Official and nominated members	...	...	...	...	10
(b) Non-official elected members—					
(i) Surma Valley	...	...	...	...	15
(ii) Brahmaputra Valley	...	...	...	...	25
					— 40

2. Brahmaputra Valley—

Muhammedans	...	...	...	...	...	6
Planters	...	...	...	...	...	1
Landholders	...	...	...	...	...	1
Income-tax payer	...	...	...	...	...	1
Dibrugarh	...	...	...	...	...	2
North Lakhimpur	...	...	...	...	...	1
Sibsagar	...	...	...	...	...	1
Jorhat	...	...	...	...	...	2
Golaghat	...	...	...	...	...	1
Nowgong	...	...	...	...	...	2
Tezpur	...	...	...	...	...	1
Mangaldai	...	...	...	...	...	1
Gauhati	...	...	...	...	...	2
Barpeta	...	...	...	...	...	1
Goalpara	...	...	...	...	...	1
Dhubri	...	...	...	...	...	1
						—
						25
						—

We do not propose to say anything about the distribution of the Surma Valley members. Muhammedans will not take part in the other electorates and therefore we do not propose to discuss the qualifications of the voters of those constituencies.

PARAGRAPH 274 OF THE REPORT.

Representation of the Provinces in the Indian Legislative Assembly should be as follows:—

Bengal	...	...	...	...	...	14
Bombay	...	...	...	...	...	14
Madras	...	...	...	...	...	14
North Western Provinces	...	...	...	...	...	10
Punjab	...	...	...	...	...	10
Behar and Orrisa	...	...	...	...	...	10
Central Provinces	...	...	...	...	...	7
Burmah	...	...	...	...	...	6
Assam	...	...	...	...	...	5
						—

of these five from Assam two at least should be Muhammedans to be returned by the two Valleys—one each.

The Muhammedan members of the Assam Legislative Council for this Valley may be allowed to elect one of them to represent the Assam Valley Muhammedans in the Indian Legislative Assembly.

COUNCIL OF STATE.

The elected member from Assam should be alternately a Hindu and Muhammadan.

DARAJUDDIN AHMED.

TRANSFERRED SUBJECTS.

The illustrative list as given in the Report will be more than enough for the present as far as this province is concerned.

Dated Gauhati, the 1st December 1918.

From—Srijut NABIN CHANDRA BARDALOI, B.L., Member of the Assam Association, Gauhati,
To—The Hon'ble Rai GHANASYAM BOROORAH Bahadur, General Secretary, Assam Association,

I am in receipt of the resolutions passed at the last meeting of the Association at Jorhat on the 11th November last. While thankfully accepting the honour of being elected a representative of the Association and through it of the Assamese people, I am extremely sorry that I am the only person who would represent the popular views. As this measure concerns people most and as it is being looked at by officials with disfavour for obvious reasons, I think there ought to have been more representatives of the people than officials.

In this respect, I may mention that the public utterances of the people in authority in Assam on this matter are not very encouraging. The knowing portion of the population rely more on the principles of justice and liberty which the great British and American nations fought for than any opinion to be given by those who belong to the old race of administrators. Let me put a few noble sentences from the inspiring speech of President Wilson in this memorandum—they are—"brotherhood of mankind must no longer be a fair but empty phrase." "We are fighting again for the liberty of Self-Government and the undictated development of all people."

There may be numerous castes and dialects in Assam, but when it comes to corporate actions it does not work the mischief it is represented to be doing or liable to do. Hinduism in Assam was such from time immemorial and representative systems and principles are better known to the Assamese people than to any other people in India. It is only a century now that Assam has lost her independence. We are thankful to a wise providence for the fact that we have come under British rule. Any student of Assam History will say that the nobles and the nine councillors elected kings and that the council of nobles backed by the people could and did depose tyrannous kings. Even now every village containing several castes and also the so-called caste prejudices, is nothing but a representative unit—the village *namghar* being the common meeting place. There are many villages in which Brahmins and other high caste men live but the *gaonburas* are men of comparatively lower castes. The great *satras* of Assam are purely representative institutions. The elections of the Barpeta *satra* shows how keenly alive are even the commonest and the poorest men there, of their right to have a voice in the government of their *satra*. There are many castes there but in spite of their every-day quarrels, the orderly fashion in which the every-day business especially on great festival days are carried on should open the eyes of detractors. The interest of the educated classes is never antagonistic to that of the poor ryots for whom the opponents of Home rule for India has lately developed such an affection.

Before giving details I beg to submit that the present circumstances of Assam is much more favourable for granting franchise on a broad principle than anywhere else in India.

1. *Tea Industry*.—This industry is almost monopolised by Europeans—but my Association while deprecating communal representation altogether thinks that this industry should be especially represented by one member each from the two valleys, not because they are a sturdy race of settlers (because they are not such) but because they are a powerful interest whose cause even the Government has been advocating, and because the chance of election which they had from the Local Boards being gone they must now stand from the general electorate. There also they would not stand any chance although it has been strongly urged that the educated and high class people are inimical towards the depressed people and the European people are their friends.

2. *Mohammedans*.—My Association while strongly deprecating communal representation agrees to the reason given in the report but advocates that the seats so given should conform to the ratio of Mohammedans to the other people of the Province. The number of Mohammedans being 13 per cent. of the total population in the Assam Valley, the Mohammedans should get 13 per cent. of the seats allotted to the elected members. In Surma Valley the proportion of Mohammedans compared with others is 15 to 19 and seats should be allotted to Mohammedans accordingly.

3. *Landholders.*—My Association recommends a seat for the landholders. If it is thought to be a communal representation again I would suggest that the Zemindars of Goalpara should be allotted that seat and the Zemindars of Sylhet of the same status should be given the other seat.

4. *General electorate.*—The tests which commend to my Association are educational and payment of taxes. It should be so adjusted as to ensure the right of voting to 75 per cent. of the adult male population. Assamese people would enter into the spirit of the thing very easily once they know what it is. It must be admitted by all who know Assam that the Assam peasants are much higher in intelligence and status than similar people in other parts of India. The municipal contests at Gauhati and other places nowadays show how readily Assamese people catch the spirit.

(a) Out of the 40 members in the two valleys which my Association thinks should be elected, there ought to be 19 members from the Surma Valley and 21 members from the Assam Valley. The population of Surma Valley, excluding the hill districts, is, according to the last census report, 29,70,134 and that of the Assam Valley, excluding the hill districts, 31,08,669. Taking lakhs as units the ratio of Surma Valley comes to 19 out of 40.

(b) Out of the 21 for the Assam Valley my Association recommends that three seats should be reserved for Mohammedans, one for the tea industry and one for the Zemindars as stated above.

(d) The remaining 16 have been allotted on the following principle :—

<i>Non-Moslem population.</i>					
TAKING LAKHS AS UNITS.					
	Population	...	24	:	16
Goalpara	3,89,081	...	3	:	2
Kamrup	6,03,201	...	6	:	4
Darrang	3,57,009	...	3	:	2
Nowgong	2,87,907	...	2	:	1½ (2)
Sibsagar	6,60,581	...	6	:	4
Lakhimpur	4,55,570	...	4	:	2½*

* Lakhimpur had this population during the census time. Since then the Sadya and Eastern Districts have been separated, hence the population would be much less. I therefore suggest that the two-thirds of Lakhimpur should be added to the one-third of Nowgong and make it two.

(e) *Surma Valley.*—Deducting the two seats mentioned above, there remains 17 seats for the Mohammedans and the others.

The Mohammedans are 15,22,988.

The non-Moslems are 19,24,042.

The proportion works out at 9 non-Moslems and 8 Mohammedans.

These are however questions of figures and liable to be changed once the principle is accepted.

Qualifications of voters.—I have stated above about it. My Association thinks that the following qualifications will satisfy the needs and ensure the voting rights of 75 per cent. of the adult male population :—

(a) Payment of revenue or rent to Zemindar to the extent of Rs. 25 or upwards.

(b) Passing the Matriculation examination of the Calcutta University or any other equivalent examination.

(c) Payment of municipal tax or cesses to the extent of Rs. 5 or upwards.

(d) All income tax-payers.

It is hoped that this qualification would enable about 75 per cent. of the adult male population to vote and the reproach that a few interested educated and high class men would form another beaureaucray would not exist.

As regards the *polling centres* my Association recommends as follows :—

Every Sub-Deputy Collector's circle should be made a centre. Mandals and Gaonburas in the Assam Valley and Chowkidari punchayets in the Surma Valley and Goalpara should identify the voters in presence of the Sub-Deputy Collector when no officers superior to him in rank can be had. Names of candidates should be circulated before hand and the candidates should be at liberty to address public meetings in the centres from sometime before the actual voting operations begin. Wilfully misleading the presiding officer should be made penal. Decision of the District Magistrate in cases of dispute should be final if parties do not go up to the civil courts.

TRANSFERRED SUBJECTS.

Regarding transferred subjects I have nothing further to add to the list which my Association has submitted already. I can only say that personally I do not think that higher education though desirable should be brought under the minister at present. The Forest Department vitally concerns the people in their every-day life business and people think this Department to be an oppressive one in many respects, so I think that this Department should come under the control of the minister and so should Excise and Public Works, for similar reasons.

NABIN CHANDRA BARDALOI,

Member, Assam Association.

**EXTRACT FROM THE PROCEEDINGS OF THE EXTRAORDINARY
GENERAL MEETING OF THE ASSAM ASSOCIATION HELD AT
JORHAT ON THE 11TH NOVEMBER 1918.**

Enclosure.

"2. Sreejut Nabin Chandra Bardaloi is appointed as the witness to represent the views of the Association before the Parliamentary Committees about to visit India."

"3. The following memorandum of the points to be represented before the Committees has been prepared and duly passed in the meeting, namely:—

(a) The total number of members in the reformed Assam Legislative Council should be 50, of which four-fifths should be elected and one-fifth nominated, that is, 40 elected and 10 nominated official and non-official members.

(b) Of the 40 elected members, 21 should be from the Assam Valley and 19 from the Surma Valley.

(c) The 40 elected members are to be distributed as follows:—

Assam Valley.			Surma Valley.		
Tea Industry	...	1	Tea Industry	...	1
Landholders	...	1	Landholders	...	1
Mohammedans	...	3	Mohammedans	...	9
General electorate	...	16	General electorate	...	8
Total			Total		
...			...		
21			19		

(d) The memberships of the general electorates should be distributed as follows:—

Assam Valley.			Surma Valley.		
Goalpara	...	2	Cachar	...	2
Kamrup	...	3	Sylhet	...	6
Darrang	...	2			
Nowgong	...	2			
Sibsagar	...	5			
Lakhimpur	...	2			
Total			Total		
...			...		
16			8		

(e) The qualification for the voters for the Mohammedan electorates should be as at present; for that of the landholders, any one paying a land revenue of Rs. 100 should be allowed to vote. For the general electorates the necessary qualifications should be as follows:—

- (i) anyone paying a revenue of Rs. 20 or upwards (either to the Government or to the zemindars);
- (ii) anyone who has passed the Matriculation examination or any other equivalent examination;
- (iii) municipal tax-payers of Rs. 5 per annum;
- (iv) all income-tax payers;

(f) *Polling centres.*—Every Sub-Deputy Collector's circle should be made a centre. Mandals and Gaenburas should identify the voters in presence of the Sub-Deputy Collectors, when no officers superior to them in rank can be had.

Wilfully misleading the presiding officers should be made penal. Decision of the District Magistrates in cases of dispute should be final if parties do not go up to civil court.

(g) The following subjects are to be treated as "Transferred Subjects" for this province :—

- (i) Taxation for provincial purposes.
- (ii) Prisons.
- (iii) Agriculture.
- (iv) Forest and forest products.
- (v) Fisheries.
- (vi) Public Works.
- (vii) Education in all its branches.
- (viii) Excise.
- (ix) Medical and Sanitary.
- (x) Local Self-Government—Rural and Urban.
- (xi) Franchise, electoral law and constituencies.
- (xii) Registration of deeds and documents.
- (xiii) Village Courts—civil and criminal.
- (xiv) Development of arts and crafts and local industries.
- (xv) Co-operative credit.
- (xvi) Registration of births, deaths and marriages, collection of statistics for provincial purposes.
- (xvii) Protection of wild birds and animals and cruelty to animals.
- (xviii) Management of charitable endowments.
- (xix) Assessment and recovery of provincial Government demands.
- (xx) Motor Vehicles."

P. D. CHALIHA,
President.

NOTE BY THE ANJUMAN-I-SABELA ISLAMIA, GAUHATI, ON THE QUESTION OF MOSLEM REPRESENTATION IN ASSAM.

The question of Muhammadan representation in the new scheme promulgated by the Reform Report is a knotty one, and it is more so in the Province of Assam where the population of Moslem persuasion is widely disproportionate in the two Valleys of the Province. In Assam Valley proper, the Muhammadan element forms a small minority scattered over a large area whereas in the sister valley the Moslem cover the greater and major portion of the populace.

From the last Census of 1911, it is seen that the British territory in Assam contained 3,467,621, of whom—

Surma Valley boasts of	...	...	...	1,761,134	and (See page 4, Census Report, Volume III, Part II.)
Assam Valley secures	...	...	...	1,706,487	

These figures include the population of Hill districts, whom by common consent of the non-official and official opinion, in the Province, we can safely ignore from our consideration as the recommendations in the Reform Report are not going to be applied to these Hill districts. Excluding the Hill districts the real figures work up to—

Percentage of Assam Valley to Surma Valley 16 : 16.	Surma Valley	1,528,913	} = 3,154,136 total.
	Assam Valley	1,625,223	

The figures of females have not been taken into account, as the suffragette movement has not yet reached this part of India, and our Administration have not been sufficiently liberalised to accept the female vote. Nor are we concerned with the animist population, who are, except the Khasi, too uncivilised to recognise any institution.

The distribution of population according to religions are set forth at page 14 of the Census Report, Volume 3, Part II.

The figures there are :—

	Hindus.	Moslem.
Surma Valley ...	731,690	782,030
Assam Valley ...	1,143,570	189,235
Total	1,875,260	971,266

Speaking generally, therefore, the ratio between the Hindus and Moslems in the Province are 2 : 1 or more on Muhammadan side. So apart from all other consideration, taking the numerical strength as the basis of calculation, the Muhammadan representation in Self-Government institutions cannot be less than 33 per cent. but should be more.

It will be interesting to know the figures for the Europeans, Armenians and

European, etc., only 1,615.	Anglo-Indian Communities. They are :—
Surma Valley ...	544
Assam Valley ...	1,071
	1,615

Males (page 198, Census Report, Part II, Volume III).

These figures are of 1911. Vast changes have occurred in these 8 years. Especially the Muhammadan have considerably enhanced, their numerical strength and consequently their proportion compared with the Hindus. For example, there has been rapid and large immigration from the neighbouring Bengal districts of Mymensingh and Rangpur of Muhammadans to Assam, and the birth-rate too among the Moslem is considerably greater than the Hindus. Their increase is greater in the Assam Valley, for we read at page 35, Part I, Volume III :—“ In the whole Province Muhammadans have, increased by 20·2 per cent. since 1901, the contribution of the Brahmaputra Valley being no less than 42·8, while that of the Surma Valley is 16·3. The former rapid race is due to large immigration of Muhammadans from Bengal to

Goalpara the latter rate is higher than the rate of increase amongst the general population which is 10.77, and is due to the fact that the Mohamedans are more prolific than their neighbours because of the partaking of more sustaining food and their freedom from prejudice on the question of marriage of widows." At page 39, speaking of the Hindus, the Report proceeds "The number of Hindus has grown by 11.9 per cent. since 1901 or 3.3 per cent. less than that of the general population and they have fallen back in comparison with Mohamedans". The influx of Mohamedans from Bengal have continued with greater vigour than before and they have colonised vast tracts in all districts of Central and Lower Assam Valley. These undisputable facts clearly show that the present Mohamedan population will not be less than 20 per cent. compared with Hindu population in the Assam Valley.

Mohamedans in Assam Valley
20 per cent. and more.

Urbanity and Education have been deservedly laid as some of the tests of the franchise, in the Reforms Report and on these two grounds also, the Mussalmans of the Assam Valley score over their Hindu neighbours. The Hindu male population of the Assam Valley towns total 34,002 whereas the Moslem male amount to 10,568, i.e., 2.9 per cent. and 5.6 per cent. of their population respectively (*vide* pages 10-11 of Part II, Volume III, Census Report).

Regarding the Education tests—(*vide* pages 38-41 of Part II, Volume III, Census Report)—While Goalpara district Moslems are more backward than the Hindus in Education, their literacy is as good both in Kamrup and Darrang districts, whereas in Sibsagar—an essentially Assamese district—the percentage of general literacy for Moslem is 11.5 in comparison to 5 of Hindus and in English literacy the percentages are 23 and 75 respectively. The census table does not show the figures of Moslems so far as Nowgong and Lakhimpur are concerned. Any way it is a common knowledge to be gathered from Education Reports that Mohamedans are more than alive to education and sending in large contingents of their youngmen to schools and colleges. From all these points of view, and especially their historical and political importance, recognised by Lord Minto in 1906, the Mohamedans all over India and specially in Assam and particularly in the Assam Valley, are entitled to indulgent and sympathetic consideration. The Moslem representation of this Valley claimed 30 per cent. of the seats allotted to their Valley before the Secretary of State and Viceroy at the time of interview last year. We would respectfully urge the same proportion for Moslems of Assam Valley. At the worst the Moslems reserved seats should not be less than 1/4th number given to the Assam Valley people.

30 per cent. of Mohamedans
reserved seats for Assam Valley.

Never less than 25 per cent.

Europeans.—The Reform Scheme does not reserve the right of communal representation to the Europeans and Anglo-Indians. Their numbers are so very insignificant, that they are not entitled to any seat reserved for them. But in view of the fact that the non-official members in a Conference, of the Legislative Council, by a majority voted for communal representation, we would propose to give them a few seats. In our opinion, the 3 seats which they occupy in the present constitution are more than sufficient to meet their demands.

Landholders.—The landholder or zemindar class properly so-called are confined only to about a dozen families in the Goalpara district in the Assam Valley. We are not agreeable to give any separate electorate to them for the following reasons:—

- (a) In the general distribution of seats, each district will be entitled to vote for a number of representatives and the zemindars can stand their chance therein.
- (b) In case of a popular zemindar, there will be no difficulty in his being returned from the district. This will compel them to be popular and strive for benefiting the ryots.
- (c) There being hardly any conflict of the zemindar and ryotari interests, except in the matter of tenancy legislation no separate electorate is necessary, as Government will be empowered to appoint expert or nominate suitable representatives of such special interest on such occasion.

We now proceed to allocate and distribute seats of the Reformed Councils, both as regards the two valleys and the Hindu-Moslem question. The Council to consist of 50 members all told. The seats may be left vacant for emergencies mentioned above. Three go to Europeans; of the rest, 35 is to be opened for election of Hindu and Moslem representation: the rest ten going for Government nomination: of these

50—Total.
2—Vacant.
3—European.
35—Indians to be elected.
17—Surma Valley.
18—Assam Valley.

17 seats should go to Surma Valley and 18 seats reserved for the Assam Valley. The Surma Valley seats being divided into 9 Mohamedans and 8 Hindus and of the Assam Valley seats 5 being reserved for Moslems and 13 should be given to the Hindus.

or Surma Valley—9 Mohamedans.
8 Hindus.
Assam Valley—5 Mohamedans.
13 Hindus.

The six districts of Assam Valley should thus be represented :—

	Hindus.	Moslems.
Goalpara	2	1
Kamrup	3	1
Sibsagar	3	1
Lakhimpur	2	1
Darrang	2	1
Nowgong	1	1
Total	13	6

The Central Assam, Darrang and Nowgong Moslems should either jointly return one member or should do so every alternate sessions. This is justified by their Moslem population and education test.

We refrain from giving an outline of the Surma Valley seats as it is beyond our jurisdiction.

It may be noted here that at the present Council the special representation of Mohamedans in both the valleys has been equal and this was done after great deal of deliberation.

Before the question of representation of Assam Valley Mohamedans in the proposed Council is considered it is necessary to consider the history of their present representation. When the Minto-Morley reforms were first given effect to, the Government of Eastern Bengal and Assam in full consultation of the Moslems of the Province, reserved equal representation for the Moslems of both the valleys of Assam, e.g., one Mohammedan representative from either valley alternately when the Province was reconstituted, the same privilege of equality in representation of the Moslems was secured to both the valleys, and the same arrangement has continued up till now. The Mohamedans of the Assam Valley will feel greatly if their right of representation be so abruptly curtailed most disproportionately purely on the numerical basis, We beg to submit that a pure numerical standard is not going to be followed in the case of European and Anglo-Indian communities.

Qualification of Moslem voter :—

1. Direct representation to be followed in all cases.
2. Payment of Chawkidar tax Re. 1 (for Goalpara) or payment of Municipal tax of Rs. 5 a year or payment of Land Revenue of Rs. 15 a year.
3. All matriculates and upwards and other educated persons holding diplomas from Indian Universities.
4. Payment of Income Tax.
5. Age limit—21 years.
6. Government Moslem servants drawing a salary of Rs. 30 a month.

MD. SAADULLA.

The written statement of the Hon'ble Mr. H. Miller, C.I.E., of Cinnamara P. O., Assam, in connection with the evidence to be given by him before the Committee on Franchise and Constituencies.

I have been resident in the Sitsagar district of Assam since January 1883, during the whole of which period I have been in the employ of the Jorehaut Tea Company, Limited, of which Company I have been Superintendent since December 1907. The Company owns 17,491 acres of land, of which 6,418 acres are cultivated and the total labour force consists of 15,186 souls. I have been a member of the Assam Legislative Council since 1913 having been elected thereto by the Assam Branch, Indian Tea Association. I have been Chairman of the Assam Branch, Indian Tea Association, since 1913.

I have been a member of the Jorhat Local Board since 1906, during the whole of which period I acted as its Vice-Chairman.

With regard to the Reform Scheme as a whole I understand I am not now called upon to offer general criticisms. At the same time I do not think it is amiss for me to state here that I entirely associate myself with the views expressed thereon by the Bengal Chamber of Commerce.

Subject to such views the following opinions are submitted in respect only of the Assam Valley of the Province of Assam, as I have no personal knowledge of the people or conditions of the Surma Valley of the province.

The terms of reference to this Committee are (*inter alia*) (I) To advise on the Franchise and Constituencies in each province with the object of securing as broad a franchise and as representative a Council as present circumstances in each province permit.

Undoubtedly therefore the first thing that must be taken into consideration is the electorate. Before any advice can be given on this subject by the Committee they must have full knowledge of the history, population, and existing condition of the Indian residents of Assam.

The population of the Assam Valley at the last census in 1911 amounted to 3,108,669, of whom 631,552 were immigrants, the natural population being entered as 2,503,035. In paragraph 38 of the Census Report, 1911, it is estimated that there were then one and a half millions of people in Assam who would not have been there if there had been no tea gardens. As is shown by paragraph 135 of the same Report by far the greater proportion of such natural population consist of ryots and tea-garden coolies who cultivate small areas of land direct from Government and who have no other means of subsistence. They are a people without education of any kind and without any wish for it and have no other ideas than that of growing one crop of *dhan* during four months of the year to suffice them until the following harvest. The balance of the population consists of a very few small landed proprietors sparsely spread throughout the valley, with Pleaders, Marwaris and shopkeepers resident in the few principal towns. The valley can only be described truthfully by using the words mentioned in paragraph 136 of the Reform Scheme Report, namely, "an enormous country population, for the most part poor, ignorant, non-politically minded and unused to any system of elections,—immersed indeed in the struggle for existence." Amongst such a class there can be no potential capacity for politics with the result that as mentioned in paragraph 146 of the Report, "the rural voter will perhaps find himself cajoled or bought or coerced into voting in a way that does himself no good." In my opinion this will be inevitable and not problematical as mentioned in the paragraph and I have not the Authors of the Report's belief in his awakening, as he belongs to a class who, unlike other parts of India, are their own masters and are perfectly content to live and let live so long as they have sufficient food. How then out of such a class is it possible to form an electorate. In my opinion it is impossible. If, however, the class are given the power of voting it will result in their votes being given to the highest bidder, in consequence of which elections will very soon become a farce. If on the other hand the class are excluded from the electorate and a minimum land revenue or income tax payment is fixed as the qualification, I believe that even such a small annual payment of Rs. 20 would only produce about 1 per cent. of the population of the province. In all probability this one

per cent. would not be evenly distributed throughout the province, resulting in the possible continuous election of members from one part of the province or valley to the exclusion of other portions. In any case it is submitted that, if it is found only possible to form an electorate of one per cent. of the population of the province, then the province is not one which should be included in the Scheme but that its present constitution should continue. Of the eight provinces mentioned in paragraph 198 of the Report, there is not the slightest doubt that Assam is the most backward. This is undoubtedly due to the primitiveness of its people on which there is not and is not likely to be any material on which to found political institutions of a nature sufficient to form a responsible Government of the province. This being so, it is submitted that in accordance with the reasoning mentioned in paragraph 199 of the Report the Province of Assam should be excluded from the Scheme and should be allowed to retain its present constitution. If on the other hand the Committee are of opinion the province should be considered as a "backward area," then it is submitted their opinion should be communicated, with details of what such treatment would entail, to all interested parties to enable the latter to express their views prior to any decisions being arrived at.

My further views are expressed merely on the assumption that Assam will not be excluded from the Scheme.

I now pass from the Indian portion of the electorate to that of the European, and in doing so will first note my emphatic protest, as others have already done of the scant manner in which the Report recognises the achievements, claims and interests of the European community in India. So far as the Province of Assam is concerned it is admitted by all that the province has been opened up by and at the expense of the Tea Industry in which the sum of approximately £18,000,000 is now invested. Thousands of acres have been and are being annually opened up for Government by coolies imported by Tea concerns. The present area in the occupation of Tea concerns in the Assam Valley amounts to 793,716 acres, the labour force in connection with which amounts to over 600,000 souls. The total area settled direct with time-expired coolies now amounts to 211,162 acres and in addition 2,121 acres are held by them as sub-tenants. The area now settled with immigrants other than *ex-tea-garden* coolies amounts to 153,616 acres. These figures alone entitle the Industry to very great consideration, including the European community residing in the province, as it has been solely due to European Capital and enterprise that the province has been opened up and attained its present condition.

The European population of the valley at the last Census amounted to 1,495. Now the only representation offered by the Scheme to (1) protect these huge interests on which undoubtedly the life of the province depends and (2) the European residents, is through the Tea Planting Associations and by nomination. I need hardly mention that it is apparent that with such a small proportion of Europeans it would be worse than useless for Europeans to seek election from a general electorate. This being so it is only just that communal representation should be granted to the European community. Such representation to be by direct election and not by nomination. On this question I associate myself with the views expressed by the European Association which are as follows:—

"If, as the European Association firmly believes, communal representation is absolutely necessary in the interests of the Indian masses, it is not less needed for the protection of legitimate European interests. The European non-official community in India is numerically so small that it would be swamped in open elections with a general electorate. But its economic interests are so immensely important, it plays so useful and peculiar a part in the commercial development of the country to the benefit of all classes, that such swamping of it would be most disastrous to India. Again, from the political point of view, it is essential to the welfare of India that European non-officials should have their proper share in the direction of affairs, for as the role of the European official is continuously restricted in accordance with the new policy, the European non-official will become increasingly responsible for the maintenance in Indian administration of those ideals which Great Britain introduced into the country and the preservation of which is imperative if the new system, also imported from Great Britain, is not to collapse."

"Yet, under the Montagu-Chelmsford scheme, the only representation allowed to Europeans is through certain specialised bodies, like Chambers of Commerce, and through nomination. That the community alone of all in India is fitted by heredity, and by the early environment of its members before they come to this country, to understand and work the franchise and representative institutions apparently counts for little or nothing with the authors of the reform scheme."

That the membership of its one general organisation, the European Association, exceeds that of any constituency represented in the Imperial Legislative Council is ignored. Europeans—except in so far as, in very exceptional cases, Europeans may be returned by a general electorate of all races, in which case they would not be genuinely representative of European opinion—are condemned to representation merely through sectional bodies and through a problematic number of nominated members. Now the members returned by bodies like Chambers of Commerce are thoroughly entitled to their places in the Legislature for the interests they represent are vast; but such members naturally cannot receive from their constituents any general political mandate. They are in the Legislature to guard economic interests, and can only rarely and tentatively deal with questions not directly affecting such interests. That alone is a strong reason for granting communal representation to Europeans. There is a further reason in the fact that without communal representation, Europeans following the legal, medical and other professions, or resident where Chambers of Commerce, Planters Associations and Trades Associations do not exist, will continue to be wholly unrepresented through a period when representation is being extended on all other sides."

"Nomination cannot remedy the resultant injuries. Experience of nomination by the Government in their prime does not inspire that confidence which the community is invited to feel in nomination by the Government in the days of a decline preparatory to regeneration as a popularly controlled body. And even if assurances could be given that the Government would nominate their severer critics as readily as their mute supporters, the European Association would still feel obliged to contend for the right of Europeans to choose their own representatives, instead of having them chosen by the Government. Under the new conditions Europeans must be free to seek out men of political talent regardless of those considerations which usually have weight with the Government in making nominations. Europeans must be enabled to place in the Legislative Councils men who can incontestably claim that they are there by the general wish of the community, and over whom the community can exercise the influence constituents have under all representative systems."

I therefore ask for communal representation by election of Europeans in the Assam Valley to such extent as is consistent with their importance as a community, such representation being in addition to that which it is admitted in the Report should be granted to Tea Planting Associations.

In the same manner and for the same reasons as I have asked for communal representation of Europeans by election, I consider the representation to be granted the Tea Planting Associations already existing in the Province of Assam should be by election and not by nomination.

What such representation should be in either of the above cases it is impossible for me to suggest as no information has been given or suggested as to the size of any new Council, or the degree of representation granted to other interests. When this information is available the representations to be granted the European community and Planting Associations will have to be further carefully considered, and it will then be of vital importance to take into such consideration the possible Indian personnel of any New Council, who will then form what has been described as the Amateur Government in contradistinction to the present Official Government. In considering such personnel it may be presumed that the present Indian members of the Assam Legislative Council are the best men now obtainable throughout the Province and that therefore if the Council is enlarged the new comers will at any rate not be superior in standing, education and experience. If the Scheme proceeds it therefore follows that the Government of the Province and the huge interests of the Tea Industry will be handed over to Indians the majority of whom have absolutely no knowledge of administration and no business experience and all of whom have no special educational qualifications, many of whom even in the present Council not having had sufficient education as to have been taught the English language. To hand over to such a community the future Government of the Province of Assam and the enormous interests of the Tea Industry and all that it involves will in my opinion be criminal folly unless such interests are completely safeguarded by guarantees of adequate representation in such Government. It is my considered opinion after five years as a member of the Assam Legislative Council that the Indian members have not shown themselves fitted for or capable of taking over the Government of the Province in the manner mentioned in the Report and if the Scheme proceeds in its present form it can only be disastrous to the Province.

MEMORANDUM BY MR. CHANDA ON REFORMS.

The two principles enunciated in the Report on Indian Constitutional Reforms must be accepted, namely, that (1) election must be direct, (2) the franchise should be as broad as possible. It will be idle to deny that there are great difficulties about them—specially the latter. It is also almost certain that the first results are bound to be disappointing—may seem almost to be hopeless. In no country—even when the conditions seemed more favourable—where there is responsible government, the franchise at the beginning was anything approaching liberality. In England the proportion of electors to population was 4 per cent in 1832 and has risen to 33 per cent, only during the present year when the Representation of the People Act added 8 millions of voters including 6 millions of women. Here the difficulties are immense. But, nevertheless, there are great compensating advantages in a broad franchise. It is hardly necessary to labour the point.

In the application of the above principles, there will be other difficulties peculiar to Assam. It is a small province consisting of only two divisions which, broadly speaking, contain populations widely divergent from each other. Then, there are Hill districts which constitute a substantial portion of the Province and these cannot, by any manner of means, be brought under the Reform proposals for years to come,—excepting in the case of the Khasi and Jaintia Hills perhaps. Then, there is the important European community, small in number but undoubtedly possessing an importance which seems almost to overshadow the other interests in the Province—excepting perhaps Sylhet and Gauhati. It is undoubtedly the Tea industry which has made Assam what it is and it would be the height of folly and ingratitude to ignore this outstanding feature or to allow it a recognition proportioned to the numerical strength of the community only.

The Sylhet people, Hindus mostly and Moslems partly, are clamorous for being rejoined to Bengal and become sullen and discontent when they are told that the time is not yet for a fresh attempt at redistribution of territories. The Assamese of the Assam Valley, of Assam Proper, do not therefore naturally enough look upon them with a kindly eye. There is naturally mutual jealousy between the two valleys.

Then there is another feature which should also be kept in view when the question of electorate is considered. Speaking of the Surma Valley Districts, Sylhet and Cachar, the headquarters of the districts and subdivisions do not consist of permanent residents only. Quite a substantial portion of the population come from the rural areas and continue to have an abiding interest therefor, where their homes are, whereas they take an almost equal interest for the towns where they reside for business or vocational purposes. They must, therefore, be entitled to represent the rural areas to which they respectively belong equally with any others who may be living there continuously. As an illustration, I may mention the Hon'ble Babu Radhabinod Das, the Municipal representative on the Assam Council from the Surma Valley. It will be incorrect to assume that he takes more interest for the town of Sylhet than he does for his native village. I may be pardoned for mentioning my own case in this connection. I was the predecessor of the Hon'ble Radhabinod Das in this seat before my election to the Imperial Council and was returned from the Silchar Municipality in Cachar, of which I am the Chairman though I have my home in a village in Sylhet. This is not in accordance with the practice obtaining elsewhere where educated and wealthy people permanently migrate from the village to towns.

In view of all the difficulties and special features peculiar to Assam I would not propose any scheme of representation which is based on numerical strength of any community nor would I ask for any uniformity in the size of constituencies returning the same number of members. Time has not come for fixing the electorate or constituency with mathematical precision in Assam.

The sanctioned strength of the present council is 30 though it consists of 25 members now, of whom 15 are non-officials, 11 elected and 4 nominated. I would raise the number of elected members to 60 and allow no nomination of non-officials (excepting one or two experts occasionally) in the reformed council. Maximum number of nominated members 15.

The population of Assam excluding the Hills may be taken to be 6 millions in round numbers; this would allow of one number to every lakh of the population. Taking the number of families at 12 lakhs it allows one number to 5 families. There are 9 districts including the Khasi and Jaintia Hills (the headquarter town of which

is Shillong, the seat of the provincial government and the legislative council) but excluding the other hills which are as follows—

	Headquarters.	Population.
Surma Valley—		
1. Sylhet	Sylhet	14,457 people.
2. Cachar	Silchar	8,785 "
3. Khasi and Jaintia Hills	Shillong	13,639 "
Assam Valley—		
4. Goalpara	Dhubri	5,808 "
5. Kamrup	Gauhati	12,481 "
6. Darrang	Tezpur	5,355 "
7. Nowgong	Nowgong	5,433 "
8. Sibsagar	Jorhat	5,231 "
9. Lakhimpur	Dibrugarh	14,563 "

There are the following subdivisional headquarters (and other towns) containing municipalities and unions :—

Surma Valley—		
1. Hailakandi (Cachar)		1,463
2. Habiganj (Sylhet)		6,244
3. Sunamganj (Sylhet)		4,620
4. Karimganj (Sylhet)		6,512
5. Maulvi Bazar (Sylhet)		2,369
Assam Valley—		
6. Goalpara (Goalpara)		5,964
7. Barpeta (Kamrup)		10,739
8. Sibsagar (Sibsagar)		5,764
9. Nazira (Sibsagar)		2,883
10. Golaghat (Sibsagar)		2,236

(Subdivisional headquarters which are non-regulation districts like Haflong in Cachar and North Lakhimpur in Lakhimpur are excluded.)

Total population of the province is 6,713,655.

" " hill districts is 634,832.

" " plains portion 6,078,803.

(Say 60 lakhs.)

Total population of Assam Valley is 3,108,669 (excluding Hills).

Total population of Surma Valley (including Khasi and Jaintia but excluding other hills) is 3,205,803.

In Surma Valley districts of Sylhet and Cachar there are 1,419,054 Hindus and 1,520,835 Moslems.

In Assam Valley (excluding the Garo Hills) there are 2,180,339 Hindus and 369,320 Moslems.

In Surma Valley there are 581 (451 males) adult Europeans.

In Assam Valley there are 1,163 (889 males) adult Europeans.

I would, taking the above figures into my consideration, distribute the number of 60 members I propose for the new Council as follows :—

Surma Valley—		
Sylhet town	1 Hindu and 1 Moslem	2
Silchar	1	1
Habiganj (Sylhet) 1 ... ..	... ..	1
Karimganj (ditto) 1 ... ..	... ..	1
Sunamganj (ditto) 1 ... ..	... ..	1
Maulvi Bazar (Sylhet) 1 ... ..	... ..	1
Hailakandi (Cachar) 1 ... ..	... ..	1
(7 & 1) ... ..	... ..	8

Rural areas—						
Five subdivisions in Sylhet	...	...	...	...	...	5
Two ditto Cachar (Sadr and Hailakandi)	...	...	...	...	...	2
Moslems	...	...	...	...	...	11
Europeans	...	...	...	...	...	2
						28

In the Assam Valley, I shall allow one member each to Dhubri, Tezpur, Nowgong, Jorhat and two each to Gauhati and Dibrugarh—in all	...	...	...	...	...	8
To the 5 subdivisions and Nazira—1 each	...	...	...	...	...	6
I shall allow Europeans	...	...	...	...	...	4
Moslems	...	...	...	...	...	3

Rural areas—						
Goalpara	...	...	...	...	...	2
Kamrup	...	...	...	...	...	2
Darrang	...	...	...	...	...	1
Nowgong	...	...	...	...	...	1
Sibsagar	...	...	...	...	...	2
Lakhimpur	...	...	...	...	...	1
						30

I shall have no other communal representation or separate electorates besides the Europeans and Moslems.

Surma Valley.—As regards the towns (district and subdivisional headquarters) I would have one constituency consisting of all the voters therein quite irrespective of race except that in Sylhet town I provide for a separate Moslem electorate for one of the two seats allotted thereto. The two seats allotted to Shillong may be filled up by a Hindu, a Moslem, a European or a Khasi. I would not have a separate Landholder's electorate as I am sure they will command great influence over the general electorates or separate Moslem electorates. Only in the town of Sylhet I would allow a special electorate for the Moslems for one member. Silchar and all the subdivisional headquarters will each constitute one constituency of all the inhabitants entitled to vote, irrespective of race. As two of the subdivisions (Karimganj and Sunamganj) contain a preponderance of Moslem population it may reasonably be expected that there will thus be three Moslem members at least, for the municipalities. In addition to this I allow 10 Moslem members to be returned by special Moslem electorates and one member each for 5 subdivisions in Sylhet and 2 subdivisions in Cachar and 2 for Shillong which will be a general constituency returning 2 members irrespective of race and 2 Europeans to be returned by the European community in Surma Valley. The result will be :—

Moslems	...	...	...	...	...	14
Hindus	...	...	...	...	...	12
Europeans	...	...	...	...	...	2
Shillong (any representative of any race)	...	...	...	...	...	2
						30

In the present Council the Europeans have 3 seats and I double the number in my scheme. There ought not to be any further communal representation or separate electorates. In the case of the Moslems two considerations weigh with me in allowing a separate electorate for them. In the first place they are enjoying the privilege at present and there was a compact between the Hindus and Moslems in the Indian National Congress and I think we must stand by it. There was no compact for Assam, it is true, but we must observe the spirit of the compact. I am personally opposed to separate or communal representations and feel sure that the Moslems themselves will in the near future ask for the abolition of special electorates. There is already a growing body of opinion against it, but till they themselves release us, we must allow special electorates.

I ought to say I am not at all in favour of treating the three communities of Moslems, Bengalis and Assamese as so many water-tight compartments and would be prepared personally to vote for a much larger number of seats being allotted to any of these communities than what seems to be dictated by their numerical strength. I consider it absolutely immaterial as to whether there are 5 Bengalis or Moslems or Assamese members; all that matters is the privilege of governing ourselves through our representatives who will be responsible to the people. The only tangible result of this communal basis is that it may for the present affect the selection of the Minister. This is only a personal equation which ought not to be considered at all in the presence of the vital question of getting the privilege. It would be, I think, a matter of absolutely no importance as to whether the Minister is an Assamite or a Moslem or a Bengali. If it ensures speedy disposal of the question I would personally readily agree to a substantial reduction of the representation of the community to which I belong.

QUALIFICATIONS OF VOTERS.

(A) Rural areas—

- (1) Every adult head of a household.
- (2) Every person of or above 25 years not being the head of a joint-family who has passed
 - (a) the Upper Primary, Middle Vernacular, Middle English or the Matriculation Examination; or
 - (b) holds a title from a Tol or a Madrassa; or
 - (c) holds a certificate of having passed through the full course of a Technical School; or
 - (d) who has an annual income from any service or profession other than agricultural of Rs. 200 a year.

(B) In municipal towns—

- (1) as above

for (2) (a), (b), (c) and (d) in the above substitute the following:—

Every person of or above 25 years not being the head of a joint-family who has passed

- (a) Matriculation Examination or a corresponding public examination or is a title-holder from a Tol or a Madrassa or holds a professional diploma or has an annual income of Rs. 500 from any service or profession other than agricultural.

ELECTION.

1. Election must be direct.
2. Existing—
 - (a) district headquarters,
 - (b) subdivisional headquarters and
 - (c) subdivisions will form electoral areas.
3. Special Moslem electorates shall be formed for the Surma Valley and Assam Valley districts and shall elect the members allotted to the Moslem electors therein.
4. Provided that Mohamedans whose names appear on the register of the special Moslem electorates shall not vote in the general electorates.
5. There shall be no plural voting.
6. All candidates shall be required to deposit a substantial amount not less than Rs. 500 with his nomination papers which he shall forfeit if he fails to secure at least ten per cent. of total votes. This deposit will be refunded in the case of the successful as well as other unsuccessful candidates within a week of the declaration of the result of the election.

7th December 1918.

KAMINI KUMAR CHANDA.

The witness is Babu Hari Mohan Das,
Secretary, Bahichya Janity at Concanamj, who
was to have been examined this afternoon by the
Franchise Committee but produced on arrival a
letter at Concanamj regarding franchise etc., which
he wishes the Committee to see. A copy is ac-
cordingly circulated for the Committee's inform-
ation. Babu Hari Mohan Das will appear to-
morrow morning, December the 10th.

ABOUT FRANCHISE AND CONSTITUENCY.

Introduction of voting by ballot.

To liberalise franchise so as to maintain healthy condition in the system it is desirable to introduce voting by ballot in which case free-will of the voters will be exercised to elect their representatives and the possibilities of the extraneous influences brought to bear upon voting affairs e.g. undue influences and the like will be averted.

Provincial Legislative Councils.

(i) He must possess the qualification of a voter.

(ii) Generally election ought to be sub-division by sub-division or by more sub-divisions than one where suitable or necessary. One seat for every 10 thousands of persons will be happy election.

Qualifications of a Voter.

To enable people of all classes and interests to vote, the Franchise ought to extend to,

- (i) Every headman of every family or house; or to,
- (ii) Those who hold Jote-land of 5 bighas (5 Kedars) and
- (iii) Those who pay Choukidari tax of annas twelve a year.
- (iv) Those who pay Municipal tax of rupee one a year.
- (v) Those who pay Income-tax.
- (vi) Government officers and officers of private persons and companies whose monthly pay is at least Rs. 50/- and for election
- (vii) Those who pay revenue of Rs. 2/- a year to Government.
- (viii) Those in receipt of M. V. or M. E. Examination Certificate in the least in Municipal areas of the country - as educated
- (ix) Every literate in rural areas.
- (x) Sanscrit title holders from recognised bodies.
- (xi) Arabic and Persian title holders from recognised bodies.
- (xii) Those who draw from the Government or private persons pension or the like to the extent of Rs. 15/- in the least per month.

- (i) Electorates.
- (ii) Nominations.

Neither minors nor women ought to be voters. Women in India do generally live in Parda-system.

In view of the Principle of equality and to arrest complicity in the affair; no one should possess more than one vote even if he happens to possess more qualifications than one.

QUALIFICATIONS OF A CANDIDATE.

- (i) The candidate must be between the age of 36 to 70 years in order to be possessed of ripe wisdom, reasoned ideas and mature thoughts worthy of the position he aspires to fill.
- (ii) He must possess the qualification of a voter.
- (iii) He must possess a fair knowledge in English.
- (iv) If he comes from Municipal areas, he should pay at least Rs.15/- as Municipal tax a year.
- (v) A candidate for representing landlords or Zamindars, he should pay at least Rs.50/- a year as revenue and local rates of revenue and cess.
- (vi) He must not suffer from any objectionable disease.
- (vii) He must not be a disqualified proprietor.
- (viii) He must not be a perpetrator of heinous crime and offence.
- (ix) Property qualification ought not to be a bar to candidates from rural areas.
- (x) A candidate may be ~~resident~~ resident of several electoral units and he should be qualified to stand for election from any such electoral unit he pleases to select. Residential qualification should not be enforced at all, in which case the Council won't get the best intellect of the country - as educated Bengalis have almost always migrated from the rural areas.

CONSTITUENCY.

Election should be based on the following principle so as to adequately represent all legitimate legitimate aspirations, deserving classes and interests by means of,

- (i) Electorates.
- (ii) Nominations.
- (iii)

INDIAN LEGISLATIVE COUNCIL.

In view of the Provincial Councils receiving broad representation it will be convenient to all concerned and expedient that election should be by the non-official members in such a manner as to represent the interest of all as outlined in the scheme for election in the Provincial Legislative Council.

COUNCIL OF STATES.

As to the 21 members to be elected out of 50, I propose that the members of the Provincial Legislative Council should elect among themselves the said 21 members so as to be representative of the various important interests and classes as far as possible.

The number of special members namely 2, ought to be enlarged. India being pre-eminently an agricultural country, two other members are necessary to protect agricultural interest of the country. The enlargement will be necessary also for the peculiar social, religious, educational, and political conditions of India.

The Eshishya Community has a Special Case.

India is, specially Bengal, Behar, Orissa and Assam are, mainly agricultural. The Eshishyas form the premier community of the agriculturists there and are an important community, but being very sadly under-represented in Government service and elsewhere, they form a minority-interest.

The interest of the Community has hitherto been overlooked in the matters of:-

- (1) Receipt of Government appointments and other patronages
- (ii) Providing proper facilities to bring English education within easy reach of the Community by establishing educational institutions in the Muffasils, i.e. in places other than towns, where they live largely and gift of free-studentships and special scholaships in spite of their considerable contribution to the revenues of the country, which are drained largely in every year for education.

6.

(iii) Improving agriculture.

(iv) Sanitation, Communication, Conveyance and the like adequately in rural areas where the agriculturist must be strong.

IMPORTANCE OF THE COMMUNITY.

1. Literacy and education:-

In Assam the Community stands 4th in point of literacy, literacy being applied to mean writing out name only. The Community is sadly poor in English literacy and education. It is less than one per cent in Assam in English literacy. Out of 21 lacs in Bengal, some 1 lac 8 thousands are literate. But literacy in English is only 15 thousand there. The Community has some lawyers, Government clerks and a few appointments in the higher grades and is keenly alive to English education.

2. Influence:- The Community has in Assam, some 8 qualified voters to the Provincial Legislative Council and to the Imperial Council.

It has a good number of Talukdars in Sylhet who pay revenue to Government and whose income as rent from tenants vary from Rs.3,000/- to Rs.50 a year, in addition to the produce of their Khamar lands.

The number of substantial agriculturists and rayats is large.

The importance of the Community has authoritatively been declared in his reply to the Mahishya Memorial of 1929.

3. Numerical strength:-

The Community counts some 23 lacs in the country. 2 lacs in Sylhet, some 21 lacs in Bengal. But for obvious reasons explained below the community was found to be some 63 thousand in Sylhet in the last census on 1911. The annexed table extracted from the war census reports of 1907 and 1911 will corroborate and explain:-

/

Table.

	1872	1881	1891	1901	1911
s.	X	X	X	70192	X
a Das	X	X	X	21220	X
a-Das	X	102426	143536	<u>12961</u> 105273	X
arta	222332	37161	67324	84336	45098
a	8755	X	7068	56326	118512
stha	105636	185561	92395	86986	8197
shya si- arta).	X	X	X	X	65312.

It will be seen from the table that in the 1st census the community was tabulated mistakenly under the heading Kaibarta which in East Bengal and Assam means invariably a Jalia-Kaibarta i.e. fisherman. This caused irritation. It was done on false and malicious statement of the interested Indian officials whom the European officers came in contact with and whom they believed simply to be deceived.

The Community therefore got themselves enumerated as Hawla- in the 2nd census and we get its strength over one lac and in the 3rd census we get its strength to be 1½ lacs.

In the 4th census the community was enumerated and tabulated under 3 headings and we get their total over one lac.

The decrease is due to the use of the word Sudra. Many entered as Kayasthas (Vide:- the remarks in the report of the census of 1901 at pages 127 and 130 and the significant allusion under Kayastha in the report of that year.

During the 5th census of 1911 there was a stir in the community as regards adoption of caste name - Some advocating Sudra Das and some Mahishya as a result an immensely large number of the community more than one lac entered as Sudras to avoid displeasure of their party and we get a corresponding increase of over one lac in the strength of the Sudras as compared with their number in the previous censuses which is between 7 to 8 thousands.

The Mahishya Community is a progressive one.

The Community is the premier of the Hindu agriculturists and according to the late Hon'ble Sir William Hunter it occupies numerically the 3rd place as land-holders in Bengal (old) i.e. Bengal, Sylhet in Assam, Orissa and Bihar.

4. Its characteristics or special feature:-

- (i). Both directly as land-holders and indirectly as ryots it contributed largely to the revenues of the country.
- (ii) Inhabiting as it does largely rural areas, the Mahishya community as a class is loyal and tried in its humble way what they could to co-operate with the Government in the development of the country and spread of healthy influence.

The Indian caste-system prevents people of one caste to see eye to eye to the interests of the people of other casts not to speak of that of other creeds inspite of many professions so to do. The land owners, the money lenders and the privileged classes who generally get Government appointments and enjoy other Government patronage and for whom the revenues of the country is spent in terrible disproportion cannot represent the masses who contribute largely to the revenues without receiving any patronage worth the name for obvious reasons. Their respective interests do generally clash and are conflicting. In order to receive and enjoy the benefit consequent on the expenditure on education and service, the masses ought to be adequately represented in the Councils and elsewhere.

The fact of the "European-returned" Hindus dining with Europeans and other educated non-Hindus at the same table is no pass-port to hold that all the Hindus can safely and properly be represented by the people of any caste.

The formation of Brahmin associations e.g. Brahmin Dharma Mohamandal, Brahmin Parisads, the Kayastha Khutriya associations and conference, the Mahishya associations and conferences

rather to add to the rigidity of caste system.

No General Representation in India at present.

Responsible Government by general representation in the line as followed in western countries like Great Britain and Ireland and elsewhere whereof the entire body of the people possess community of interests unfortunately wanting in India so divided by castes and creeds, would be unsuitable to and fraught with many difficulties unless it is started in such a manner as to safeguard the interests of all classes and creeds. The demand on behalf of India is the establishment of such a Government in India where caste, racial, sectarian strife, inexperience and illiteracy are terribly prevalent. The perusal of books on Indian Ethnology and so-called modern district histories will show that the gulf is being widened and antagonistic caste-warfare is being daily carried on.

The Kshishya community is an old dominant caste of India not to speak of Bengal (Vide Vishnupurana Chap. IV), Ramcharit a publication of the Asiatic Society and the admission by the Hon'ble Mr. Basu a member of the Committee in a letter dated 21-8-18, India office London S.W. to my friend Prokash Babu, Vakil Calcutta High Court.

It has suffered much and will do more if not taken special care of by the Government. The following pregnant statement of Warren Hastings as quoted in the Reforms Report breathes apprehension:-

"In no part of the world is the principle of supporting a rising interest and of depressing a falling one more prevalent than in India."

POPULATION OF ASSAM

Assam - 66 lacs - 15 lacs houses or families.

32 lacs in Assam Valley

34 lacs in the Garma Valley.

Sylhet - 25 lacs; 5½ lacs of houses.

Mahishya - 2 lacs in Sylhet.

10000 = (ten thousand literate including those under instruction).

500 = English literate and educated.

In Assam 900 cultivators in per 1000.

Therefore among the Mahishyas (2 lacs 180000 are

cultivators i.e. 9/10th cultivators.

In Assam per 1000 Mahishyas - 25 traders.

Therefore all 8000 Mahishya Traders.

Pyari Mohun Das,
Pleader,
Secretary, Mahishya Samity At
Sunamgunj.
Sylhet, Assam.

Is it not practicable to get the Zamindars to give Govt. copies of their lists of tenants with the rents paid by each? These lists must be fairly reliable as they have to be produced in courts before the rents can be enhanced - in cases where the tenants object.

Would we legislate for this? Suppose they did not want to?

There is no difficulty in legislating. In permanently settled areas the necessity of the legislation can be easily made out.

NOTE BY THE ANJUMAN-I-SABELA ISLAMIA, GAUHATI, ON THE QUESTION OF MOSLEM REPRESENTATION IN ASSAM.

The question of Muhammadan representation in the new scheme promulgated by the Reform Report is a knotty one, and it is more so in the Province of Assam where the population of Moslem persuasion is widely disproportionate in the two Valleys of the Province. In Assam Valley proper, the Muhammadan element forms a small minority scattered over a large area whereas in the sister valley the Moslem cover the greater and major portion of the populace.

From the last Census of 1911, it is seen that the British territory in Assam contained 3,467,621, of whom—

Surma Valley boasts of	...	...	...	1,761,138	and (See page 4, Census Report, Volume III, Part II.)
Assam Valley secures	...	...	...	1,706,487	

These figures include the population of Hill districts, whom by common consent of the non-official and official opinion, in the Province, we can safely ignore from our consideration as the recommendations in the Reform Report are not going to be applied to these Hill districts. Excluding the Hill districts the real figures work up to—

Percentage of Assam Valley to Surma Valley 16 : 15.	Surma Valley	1,528,913	} = 3,154,136 total.
	Assam Valley	1,625,223	

The figures of females have not been taken into account, as the suffragette movement has not yet reached this part of India, and our Administration have not been sufficiently liberalised to accept the female vote. Nor are we concerned with the animist population, who are, except the Khasi, too uncivilised to recognise any institution.

The distribution of population according to religions are set forth at page 14 of the Census Report, Volume 3, Part II.

The figures there are :—

	Hindus.	Moslem.
Surma Valley ...	781,690	782,080
Assam Valley ...	1,143,570	189,235
Total	1,875,260	971,266

Speaking generally, therefore, the ratio between the Hindus and Moslems in the Province are 2 : 1 or more on Muhammadan side. So, apart from all other consideration, taking the numerical strength as the basis of calculation, the Muhammadan representation in Self-Government institutions cannot be less than 33 per cent. but should be more.

It will be interesting to know the figures for the Europeans, Armenians and

European, etc., only 1,615.	Anglo-Indian Communities.	They are :—
Surma Valley	...	544 } Males (page 198, Census Report, Part II, Volume III).
Assam Valley	...	1,071 }
		1,615

These figures are of 1911. Vast changes have occurred in these 8 years. Especially the Muhammadan have considerably enhanced their numerical strength and consequently their proportion compared with the Hindus. For example, there has been rapid and large immigration from the neighbouring Bengal districts of Mymensingh and Rangpur of Muhammadans to Assam, and the birth-rate too among the Moslem is considerably greater than the Hindus. Their increase is greater in the Assam Valley, for we read at page 35, Part I, Volume III :— "In the whole Province Muhammadans have increased by 20.2 per cent since 1901, the contribution of the Brahmaputra Valley being no less than 42.8, while that of the Surma Valley is 16.3. The former rapid race is due to large immigration of Muhammadans from Bengal to

Goalpara the latter rate is higher than the rate of increase amongst the general population which is 10·77, and is due to the fact that the Mohamedans are more prolific than their neighbours, because of the partaking of more sustaining food and their freedom from prejudice on the question of marriage of widows." At page 39, speaking of the Hindus, the Report proceeds "The number of Hindus has grown by 11·9 per cent. since 1901 or 3·3 per cent. less than that of the general population and they have fallen back in comparison with Mohamedans". The influx of Mohamedans from Bengal have continued with greater vigour than before and they have colonised vast tracts in all districts of Central and Lower Assam Valley. These undisputable

Mohamedans in Assam Valley facts clearly show that the present Mohamedan population will not be less than 20 per cent. compared with Hindu population in the Assam Valley.
20 per cent. and more.

Urbanity and Education have been deservedly laid as some of the tests of the franchise, in the Reforms Report and on these two grounds also, the Mussalmans of the Assam Valley score over their Hindu neighbours. The Hindu male population of the Assam Valley towns total 34,002 whereas the Moslem male amount to 10,568, i.e., 2·9 per cent. and 5·6 per cent. of their population respectively (*vide* pages 10-11 of Part II, Volume III, Census Report).

Regarding the Education tests—(*vide* pages 38-41 of Part II, Volume III, Census Report)—While Goalpara district Moslems are more backward than the Hindus in Education, their literacy is as good both in Kamrup and Darrang districts, whereas in Sibsagar—an essentially Assamese district—the percentage of general literacy for Moslem is 11·5 in comparison to 5 of Hindus and in English literacy the percentages are 23 and 75 respectively. The census table does not show the figures of Moslems so far as Nowgong and Lakhimpur are concerned. Any way it is a common knowledge to be gathered from Education Reports that Mohamedans are more than alive to education and sending in large contingents of their youngmen to schools and colleges. From all these points of view, and especially their historical and political importance, recognised by Lord Minto in 1906, the Mohamedans all over India and specially in Assam and particularly in the Assam Valley, are entitled to indulgent and sympathetic consideration. The Moslem representation of this Valley claimed 30 per cent. of the seats allotted to their Valley before the Secretary of State and Viceroy at the time of interview last year. We would respectfully urge the same proportion for Moslems of

30 per cent. of Mohamedans reserved seats for Assam Valley.

Never less than 25 per cent.

Assam Valley. At the worst the Moslems reserved seats should not be less than $\frac{1}{4}$ th number given to the Assam Valley people.

Europeans.—The Reform Scheme does not reserve the right of communal representation to the Europeans and Anglo-Indians. Their numbers are so very insignificant, that they are not entitled to any seat reserved for them. But in view of the fact that the non-official members in a Conference, of the Legislative Council, by a majority voted for communal representation, we would propose to give them a few seats. In our opinion, the 3 seats which they occupy in the present constitution are more than sufficient to meet their demands.

Landholders.—The landholder or zemindar class properly so-called are confined only to about a dozen families in the Goalpara district in the Assam Valley. We are not agreeable to give any separate electorate to them for the following reasons:—

- (a) In the general distribution of seats, each district will be entitled to vote for a number of representatives and the zemindars can stand their chance therein.
- (b) In case of a popular zemindar, there will be no difficulty in his being returned from the district. This will compel them to be popular and strive for benefiting the ryots.
- (c) There being hardly any conflict of the zemindar and ryotari interests except in the matter of tenancy legislation no separate electorate is necessary, as Government will be empowered to appoint expert or nominate suitable representatives of such special interest on such occasion.

We now proceed to allocate and distribute seats of the Reformed Councils, both as regards the two valleys and the Hindu-Moslem question. The Council to consist of 50 members all told. The seats may be left vacant for emergencies mentioned above. Three go to Europeans, of the rest, 35 is to be opened for election of Hindu and Moslem representation: the rest ten going for Government nomination: of these

50—Total.
2—Vacant.
3—European.
35—Indians to be elected.
17—Surma Valley.
18—Assam Valley.

17 seats should go to Surma Valley and 18 seats reserved for the Assam Valley. The Surma Valley seats being divided into 9 Mohamedans and 8 Hindus and of the Assam Valley seats 5 being reserved for Moslems and 13 should be given to the Hindus.

or Surma Valley—9 Mohamedans.
8 Hindus.
Assam Valley—5 Mohamedans.
13 Hindus.

The six districts of Assam Valley should thus be represented:—

	Hindus.	Moslems.
Goalpara	2	1
Kamrup	3	1
Sibsagar	3	1
Lakhimpur	2	1
Darrang	2	1
Nowgong	1	1
Total	13	6

The Central Assam, Darrang and Nowgong Moslems should either jointly return one member or should do so once every alternate sessions. This is justified by their Moslem population and educational test.

We refrain from giving an outline of the Surma Valley seats as it is beyond our jurisdiction.

It may be noted here that at the present Council the special representation of Mohamedans in both the valleys has been equal and this was done after great deal of deliberation.

Before the question of representation of Assam Valley Mohamedans in the proposed Council is considered it is necessary to consider the history of their present representation. When the Minto-Morley reforms were first given effect to, the Government of Eastern Bengal and Assam in full consultation of the Moslems of the Province, reserved equal representation for the Moslems of both the valleys of Assam, e.g., one Mohammedan representative from either valley alternately when the Province was reconstituted, the same privilege of equality in representation of the Moslems was secured to both the valleys, and the same arrangement has continued up till now. The Mohamedans of the Assam Valley will feel greatly if their right of representation be so abruptly curtailed most disproportionately purely on the numerical basis. We beg to submit that a pure numerical standard is not going to be followed in the case of European and Anglo-Indian communities.

Qualification of Moslem voter:—

1. Direct representation to be followed in all cases.
2. Payment of Chawkidar tax Re. 1 (for Goalpara) or payment of Municipal tax of Rs. 5 a year
or payment of Land Revenue of Rs. 15 a year.
3. All matriculates and upwards and other educated persons holding diplomas from Indian Universities.
4. Payment of Income Tax.
5. Age limit—21 years.
6. Government Moslem servants drawing a salary of Rs. 30 a month.

MD. SAADULLA.

The written statement of the Hon'ble Mr. H. Miller, C.L.E., of Cinnamara P. O., Assam, in connection with the evidence to be given by him before the Committee on Franchise and Constituencies.

I have been resident in the Sitsagar district of Assam since January 1883, during the whole of which period I have been in the employ of the Jorehaut Tea Company, Limited, of which Company I have been Superintendent since December 1907. The Company owns 17,491 acres of land, of which 6,418 acres are cultivated and the total labour force consists of 15,186 souls. I have been a member of the Assam Legislative Council since 1913 having been elected thereto by the Assam Branch, Indian Tea Association. I have been Chairman of the Assam Branch, Indian Tea Association, since 1913.

I have been a member of the Jorhat Local Board since 1908, during the whole of which period I acted as its Vice-Chairman.

With regard to the Reform Scheme as a whole I understand I am not now called upon to offer general criticisms. At the same time I do not think it is amiss for me to state here that I entirely associate myself with the views expressed thereon by the Bengal Chamber of Commerce.

Subject to such views the following opinions are submitted in respect only of the Assam Valley of the Province of Assam, as I have no personal knowledge of the people or conditions of the Surma Valley of the province.

The terms of reference to this Committee are (*inter alia*) (I) To advise on the Franchise and Constituencies in each province with the object of securing as broad a franchise and as representative a Council as present circumstances in each province permit.

Undoubtedly therefore the first thing that must be taken into consideration is the electorate. Before any advice can be given on this subject by the Committee they must have full knowledge of the history, population, and existing condition of the Indian residents of Assam.

The population of the Assam Valley at the last census in 1911 amounted to 3,108,669, of whom 631,552 were immigrants, the natural population being entered as 2,503,035. In paragraph 38 of the Census Report, 1911, it is estimated that there were then one and a half millions of people in Assam who would not have been there if there had been no tea gardens. As is shown by paragraph 135 of the same Report by far the greater proportion of such natural population consist of ryots and tea-garden coolies who cultivate small areas of land direct from Government and who have no other means of subsistence. They are a people without education of any kind and without any wish for it and have no other ideas than that of growing one crop of *dhan* during four months of the year to suffice them until the following harvest. The balance of the population consists of a very few small landed proprietors sparsely spread throughout the valley, with Pleaders, Marwaris and shop-keepers resident in the few principal towns. The valley can only be described truthfully by using the words mentioned in paragraph 136 of the Reform Scheme Report, namely, "an enormous country population, for the most part poor, ignorant, non-politically minded and unused to any system of elections,—immersed indeed in the struggle for existence." Amongst such a class there can be no potential capacity for politics with the result that as mentioned in paragraph 146 of the Report "the rural voter will perhaps find himself cajoled or bought or coerced into voting in a way that does himself no good." In my opinion this will be inevitable and not problematical as mentioned in the paragraph and I have not the Authors of the Report's belief in his awakening, as he belongs to a class who, unlike other parts of India, are their own masters and are perfectly content to live and let live so long as they have sufficient food. How then out of such a class is it possible to form an electorate. In my opinion it is impossible. If, however, the class are given the power of voting it will result in their votes being given to the highest bidder, in consequence of which elections will very soon become a farce. If on the other hand the class are excluded from the electorate and a minimum land revenue or income tax payment is fixed as the qualification, I believe that even such a small annual payment of Rs. 20 would only produce about 1 per cent. of the population of the province. In all probability this one

per cent. would not be evenly distributed throughout the province, resulting in the possible continuous election of members from one part of the province or valley to the exclusion of other portions. In any case it is submitted that, if it is found only possible to form an electorate of one per cent. of the population of the province, then the province is not one which should be included in the Scheme but that its present constitution should continue. Of the eight provinces mentioned in paragraph 198 of the Report, there is not the slightest doubt that Assam is the most backward. This is undoubtedly due to the primitiveness of its people on which there is not and is not likely to be any material on which to found political institutions of a nature sufficient to form a responsible Government of the province. This being so, it is submitted that in accordance with the reasoning mentioned in paragraph 199 of the Report the Province of Assam should be excluded from the Scheme and should be allowed to retain its present constitution. If on the other hand the Committee are of opinion the province should be considered as a "backward area," then it is submitted their opinion should be communicated, with details of what such treatment would entail, to all interested parties to enable the latter to express their views prior to any decisions being arrived at.

My further views are expressed merely on the assumption that Assam will not be excluded from the Scheme.

I now pass from the Indian portion of the electorate to that of the European, and in doing so will first note my emphatic protest, as others have already done of the scant manner in which the Report recognises the achievements, claims and interests of the European community in India. So far as the Province of Assam is concerned it is admitted by all that the province has been opened up by and at the expense of the Tea Industry in which the sum of approximately £18,000,000 is now invested. Thousands of acres have been and are being annually opened up for Government by coolies imported by Tea concerns. The present area in the occupation of Tea concerns in the Assam Valley amounts to 793,716 acres, the labour force in connection with which amounts to over 600,000 souls. The total area settled direct with time-expired coolies now amounts to 211,162 acres and in addition 2,121 acres are held by them as sub-tenants. The area now settled with immigrants other than *ex-tea-garden* coolies amounts to 158,616 acres. These figures alone entitle the Industry to very great consideration, including the European community residing in the province, as it has been solely due to European Capital and enterprise that the province has been opened up and attained its present condition.

The European population of the valley at the last Census amounted to 1,495. Now the only representation offered by the Scheme to (1) protect these huge interests on which undoubtedly the life of the province depends and (2) the European residents, is through the Tea Planting Associations and by nomination. I need hardly mention that it is apparent that with such a small proportion of Europeans it would be worse than useless for Europeans to seek election from a general electorate. This being so it is only just that communal representation should be granted to the European community. Such representation to be by direct election and not by nomination. On this question I associate myself with the views expressed by the European Association which are as follows :—

"If, as the European Association firmly believes, communal representation is absolutely necessary in the interests of the Indian masses, it is not less needed for the protection of legitimate European interests. The European non-official community in India is numerically so small that it would be swamped in open elections with a general electorate. But its economic interests are so immensely important, it plays so useful and peculiar a part in the commercial development of the country to the benefit of all classes, that such swamping of it would be most disastrous to India. Again, from the political point of view, it is essential to the welfare of India that European non-officials should have their proper share in the direction of affairs, for as the role of the European official is continuously restricted in accordance with the new policy, the European non-official will become increasingly responsible for the maintenance in Indian administration of those ideals which Great Britain introduced into the country and the preservation of which is imperative if the new system, also imported from Great Britain, is not to collapse."

"Yet, under the Montagu-Chelmsford scheme, the only representation allowed to Europeans is through certain specialised bodies, like Chambers of Commerce, and through nomination. That the community alone of all in India is fitted by heredity, and by the early environment of its members before they come to this country, to understand and work the franchise and representative institutions apparently counts for little or nothing with the authors of the reform scheme.

That the membership of its one general organisation, the European Association, exceeds that of any constituency represented in the Imperial Legislative Council is ignored. Europeans—except in so far as, in very exceptional cases, Europeans may be returned by a general electorate of all races, in which case they would not be genuinely representative of European opinion—are condemned to representation merely through sectional bodies and through a problematic number of nominated members. Now the members returned by bodies like Chambers of Commerce are thoroughly entitled to their places in the Legislature for the interests they represent are vast; but such members naturally cannot receive from their constituents any general political mandate. They are in the Legislature to guard economic interests, and can only rarely and tentatively deal with questions not directly affecting such interests. That alone is a strong reason for granting communal representation to Europeans. There is a further reason in the fact that without communal representation, Europeans following the legal, medical and other professions, or resident where Chambers of Commerce, Planters Associations and Trades Associations do not exist, will continue to be wholly unrepresented through a period when representation is being extended on all other sides."

"Nomination cannot remedy the resultant injuries. Experience of nomination by the Government in their prime does not inspire that confidence which the community is invited to feel in nomination by the Government in the days of a decline preparatory to regeneration as a popularly controlled body. And even if assurances could be given that the Government would nominate their severer critics as readily as their mute supporters, the European Association would still feel obliged to contend for the right of Europeans to choose their own representatives, instead of having them chosen by the Government. Under the new conditions Europeans must be free to seek out men of political talent regardless of those considerations which usually have weight with the Government in making nominations. Europeans must be enabled to place in the Legislative Councils men who can incontestably claim that they are there by the general wish of the community, and over whom the community can exercise the influence constituents have under all representative systems."

I therefore ask for communal representation by election of Europeans in the Assam Valley to such extent as is consistent with their importance as a community, such representation being in addition to that which it is admitted in the Report should be granted to Tea Planting Associations.

In the same manner and for the same reasons as I have asked for communal representation of Europeans by election, I consider the representation to be granted the Tea Planting Associations already existing in the Province of Assam should be by election and not by nomination.

What such representation should be in either of the above cases it is impossible for me to suggest as no information has been given or suggested as to the size of any new Council, or the degree of representation granted to other interests. When this information is available the representations to be granted the European community and Planting Associations will have to be further carefully considered, and it will then be of vital importance to take into such consideration the possible Indian personnel of any New Council, who will then form what has been described as the Amateur Government in contradistinction to the present Official Government. In considering such personnel it may be presumed that the present Indian members of the Assam Legislative Council are the best men now obtainable throughout the Province and that therefore if the Council is enlarged the new comers will at any rate not be superior in standing, education and experience. If the Scheme proceeds it therefore follows that the Government of the Province and the huge interests of the Tea Industry will be handed over to Indians the majority of whom have absolutely no knowledge of administration and no business experience and all of whom have no special educational qualifications, many of whom even in the present Council not having had sufficient education as to have been taught the English language. To hand over to such a community the future Government of the Province of Assam and the enormous interests of the Tea Industry and all that it involves will in my opinion be criminal folly unless such interests are completely safeguarded by guarantees of adequate representation in such Government. It is my considered opinion after five years as a member of the Assam Legislative Council that the Indian members have not shown themselves fitted for or capable of taking over the Government of the Province in the manner mentioned in the Report and if the Scheme proceeds in its present form it can only be disastrous to the Province.

MEMORANDUM BY MR. CHANDA ON REFORMS.

The two principles enunciated in the Report on Indian Constitutional Reforms must be accepted, namely, that (1) election must be direct, (2) the franchise should be as broad as possible. It will be idle to deny that there are great difficulties about them—specially the latter. It is also almost certain that the first results are bound to be disappointing—may seem almost to be hopeless. In no country—even when the conditions seemed more favourable—where there is responsible government, the franchise at the beginning was anything approaching liberality. In England the proportion of electors to population was 4 per cent. in 1832 and has risen to 33 per cent. only during the present year when the Representation of the People Act added 8 millions of voters including 6 millions of women. Here the difficulties are immense. But, nevertheless, there are great compensating advantages in a broad franchise. It is hardly necessary to labour the point.

In the application of the above principles, there will be other difficulties peculiar to Assam. It is a small province consisting of only two divisions which, broadly speaking, contain populations widely divergent from each other. Then, there are Hill districts which constitute a substantial portion of the Province and these cannot, by any manner of means, be brought under the Reform proposals for years to come,—excepting in the case of the Khasi and Jaintia Hills perhaps. Then, there is the important European community, small in number but undoubtedly possessing an importance which seems almost to overshadow the other interests in the Province—excepting perhaps Sylhet and Gauhati. It is undoubtedly the Tea industry which has made Assam what it is and it would be the height of folly and ingratitude to ignore this outstanding feature or to allow it a recognition proportioned to the numerical strength of the community only.

The Sylhet people, Hindus mostly and Moslems partly, are clamorous for being rejoined to Bengal and become sullen and discontent when they are told that the time is not yet for a fresh attempt at redistribution of territories. The Assamese of the Assam Valley, of Assam Proper, do not therefore naturally enough look upon them with a kindly eye. There is naturally mutual jealousy between the two valleys.

Then there is another feature which should also be kept in view when the question of electorate is considered. Speaking of the Surma Valley Districts, Sylhet and Cachar, the headquarters of the districts and subdivisions do not consist of permanent residents only. Quite a substantial portion of the population come from the rural areas and continue to have an abiding interest therefor, where their homes are, whereas they take an almost equal interest for the towns where they reside for business or vocational purposes. They must, therefore, be entitled to represent the rural areas to which they respectively belong equally with any others who may be living there continuously. As an illustration, I may mention the Hon'ble Babu Radhabinod Das, the Municipal representative on the Assam Council from the Surma Valley. It will be incorrect to assume that he takes more interest for the town of Sylhet than he does for his native village. I may be pardoned for mentioning my own case in this connection. I was the predecessor of the Hon'ble Radhabinod Das in this seat before my election to the Imperial Council and was returned from the Silchar Municipality in Cachar, of which I am the Chairman though I have my home in a village in Sylhet. This is not in accordance with the practice obtaining elsewhere where educated and wealthy people permanently migrate from the village to towns.

In view of all the difficulties and special features peculiar to Assam I would not propose any scheme of representation which is based on numerical strength of any community nor would I ask for any uniformity in the size of constituencies returning the same number of members. Time has not come for fixing the electorate or constituency with mathematical precision in Assam.

The sanctioned strength of the present council is 30 though it consists of 25 members now, of whom 15 are non-officials, 11 elected and 4 nominated. I would raise the number of elected members to 60 and allow no nomination of non-officials (excepting one or two experts occasionally) in the reformed council. Maximum number of nominated members 15.

The population of Assam excluding the Hills may be taken to be 6 millions in round numbers; this would allow of one number to every lakh of the population. Taking the number of families at 12 lakhs it allows one number to 5 families. There are 9 districts including the Khasi and Jaintia Hills (the headquarter town of which

is Shillong, the seat of the provincial government and the legislative council) but excluding the other hills which are as follows—

	Headquarters.	Population.
Surma Valley—		
1. Sylhet	Sylhet	14,457 people.
2. Cachar	Silchar	8,785 "
3. Khasi and Jaintia Hills	Shillong	13,639 "
Assam Valley—		
4. Goalpara	Dhubri	5,808 "
5. Kamrup	Gauhati	12,481 "
6. Darrang	Tezpur	5,955 "
7. Nowgong	Nowgong	5,433 "
8. Sibsagar	Jorhat	5,281 "
9. Lakhimpur	Dibrugarh	14,568 "

There are the following subdivisional headquarters (and other towns) containing municipalities and unions :—

Surma Valley—		
1. Hailakandi (Cachar)		1,463
2. Habiganj (Sylhet)		6,244
3. Sunamganj (Sylhet)		4,620
4. Karimganj (Sylhet)		6,512
5. Maulvi Bazar (Sylhet)		2,369
Assam Valley—		
6. Goalpara (Goalpara)		5,964
7. Barpeta (Kamrup)		10,739
8. Sibsagar (Sibsagar)		5,764
9. Nazira (Sibsagar)		2,883
10. Golaghat (Sibsagar)		2,236

(Subdivisional headquarters which are non-regulation districts like Haflong in Cachar and North Lakhimpur in Lakhimpur are excluded.)

Total population of the province is 6,713,655.

" " hill districts is 634,832.

" " plains portion 6,078,803.

(Say 60 lakhs.)

Total population of Assam Valley is 3,108,669 (excluding Hills).

Total population of Surma Valley (including Khasi and Jaintia but excluding other hills) is 3,205,803.

In Surma Valley districts of Sylhet and Cachar there are 1,419,054 Hindus and 1,520,835 Moslems.

In Assam Valley (excluding the Garo Hills) there are 2,180,339 Hindus and 369,320 Moslems.

In Surma Valley there are 581 (451 males) adult Europeans.

In Assam Valley there are 1,163 (889 males) adult Europeans.

I would, taking the above figures into my consideration, distribute the number of 60 members I propose for the new Council as follows :—

Surma Valley—		
Sylhet town	1 Hindu and 1 Moslem	2
Silchar	1	1
Habiganj (Sylhet) 1 ... ..	... ..	1
Karimganj (ditto) 1 ... ..	... ..	1
Sunamganj (ditto) 1 ... ..	... ..	1
Maulvi Bazar (Sylhet) 1 ... ..	... ..	1
Hailakandi (Cachar) 1 ... ..	... ..	1
	(7 & 1)	8

Rural areas—					
Five subdivisions in Sylhet	...	...	...	...	5
Two ditto Cachar (Sadr and Hailakandi)	...	...	...	...	2
Moslems	...	...	...	...	11
Europeans	...	...	...	...	2
					28
In the Assam Valley, I shall allow one member each to Dhubri, Tezpur, Nowgong,					
Jorhat and two each to Gauhati and Dibrugarh—in all	...	...	...	...	8
To the 5 subdivisions and Nazira—1 each	...	...	...	...	6
I shall allow Europeans	...	...	...	...	4
Moslems	...	...	...	...	3
Rural areas—					
Goalpara	...	...	...	...	2
Kamrup	...	...	...	...	2
Darrang	...	...	...	...	1
Nowgong	...	...	...	...	1
Sibsagar	...	...	...	...	2
Lakhimpur	...	...	...	...	1
					30

I shall have no other communal representation or separate electorates besides the Europeans and Moslems.

Surma Valley.—As regards the towns (district and subdivisional headquarters) I would have one constituency consisting of all the voters therein quite irrespective of race except that in Sylhet town I provide for a separate Moslem electorate for one of the two seats allotted thereto. The two seats allotted to Shillong may be filled up by a Hindu, a Moslem, a European or a Khasi. I would not have a separate Landholder's electorate as I am sure they will command great influence over the general electorates or separate Moslem electorates. Only in the town of Sylhet I would allow a special electorate for the Moslems for one member. Silchar and all the subdivisional headquarters will each constitute one constituency of all the inhabitants entitled to vote, irrespective of race. As two of the subdivisions (Karimganj and Sunamganj) contain a preponderance of Moslem population it may reasonably be expected that there will thus be three Moslem members at least, for the municipalities. In addition to this I allow 10 Moslem members to be returned by special Moslem electorates and one member each for 5 subdivisions in Sylhet and 2 subdivisions in Cachar and 2 for Shillong which will be a general constituency returning 2 members irrespective of race and 2 Europeans to be returned by the European community in Surma Valley. The result will be :—

Moslems	...	...	...	...	...	14
Hindus	...	...	...	...	...	12
Europeans	...	...	...	...	...	2
Shillong (any representative of any race)	...	...	...	...	...	2
					30	

In the present Council the Europeans have 3 seats and I double the number in my scheme. There ought not to be any further communal representation or separate electorates. In the case of the Moslems two considerations weigh with me in allowing a separate electorate for them. In the first place they are enjoying the privilege at present and there was a compact between the Hindus and Moslems in the Indian National Congress and I think we must stand by it. There was no compact for Assam, it is true, but we must observe the spirit of the compact. I am personally opposed to separate or communal representations and feel sure that the Moslems themselves will in the near future ask for the abolition of special electorates. There is already a growing body of opinion against it but till they themselves release us, we must allow special electorates.

4

I ought to say I am not at all in favour of treating the three communities of Moslems, Bengalis and Assamese as so many water-tight compartments and would be prepared personally to vote for a much larger number of seats being allotted to any of these communities than what seems to be dictated by their numerical strength. I consider it absolutely immaterial as to whether there are 5 Bengalis or Moslems or Assamese members; all that matters is the privilege of governing ourselves through our representatives who will be responsible to the people. The only tangible result of this communal basis is that it may for the present affect the selection of the Minister. This is only a personal equation which ought not to be considered at all in the presence of the vital question of getting the privilege. It would be, I think, a matter of absolutely no importance as to whether the Minister is an Assamese or a Moslem or a Bengali. If it ensures speedy disposal of the question I would personally readily agree to a substantial reduction of the representation of the community to which I belong.

QUALIFICATIONS OF VOTERS.

(A) Rural areas—

- (1) Every adult head of a household.
- (2) Every person of or above 25 years not being the head of a joint-family who has passed
 - (a) the Upper Primary, Middle Vernacular, Middle English or the Matriculation Examination; or
 - (b) holds a title from a Tol or a Madrassa; or
 - (c) holds a certificate of having passed through the full course of a Technical School; or
 - (d) who has an annual income from any service or profession other than agricultural of Rs. 200 a year.

(B) In municipal towns—

- (1) as above

for (2) (a), (b), (c) and (d) in the above substitute the following:—

Every person of or above 25 years not being the head of a joint-family who has passed

- (a) Matriculation Examination or a corresponding public examination or is a title-holder from a Tol or a Madrassa or holds a professional diploma or has an annual income of Rs. 500 from any service or profession other than agricultural.

ELECTION.

1. Election must be direct.
2. Existing—
 - (a) district headquarters,
 - (b) subdivisional headquarters and
 - (c) subdivisions will form electoral areas.
3. Special Moslem electorates shall be formed for the Surma Valley and Assam Valley districts and shall elect the members allotted to the Moslem electors therein.
4. Provided that Mohamedans whose names appear on the register of the special Moslem electorates shall not vote in the general electorates.
5. There shall be no plural voting.
6. All candidates shall be required to deposit a substantial amount not less than Rs. 500 with his nomination papers which he shall forfeit if he fails to secure at least ten per cent. of total votes. This deposit will be refunded in the case of the successful as well as other unsuccessful candidates within a week of the declaration of the result of the election.

7th December 1918.

KAMINI KUMAR CHANDA.

(Franchise Committee).

Programme of the witnesses to be examined at Nagpur.

Wednesday, 11th December 1913.

1. The Hon'ble Mr. F.S.A. Locock, C.I.S., I.C.S.,
Chief Secretary to Chief Commissioner.
2. Khan Sahib Maulvi Abdul Kadir, Leader, Amroti, Berar.
3. Mr. E. S. Satar, U.C.S.
4. Mr. G.A. Gawai, Secretary, Depressed India Association.

Thursday, 12th December 1913.

1. Rao Bahadur A. M. Mudhalkar, C.I.S. of Amroti, Berar.
2. The Hon'ble Rao Bahadur H.K. Kelkar of Jabalpur.
3. Sri Bahadur D.K. Chaudhari of Raipur.
4. Mr. Jagubir Prasad, a landholder of the Barsinghpur Distt.
5. Mr. J. P. Deshmukh, a landholder in Berar.

Friday, 13th December 1913.

1. The Hon'ble Rao Bahadur H.G. Deshpande, nominated member
of the C.P. Legislative Council and landholder
in the Central Provinces.
2. Mr. H.D. Cogan, representing the C.P. and Berar Mining
Association.
3. Mr. D.S. Niyogi, representing the C.P. Provincial Congress
Committee.
4. Mr. Madhwarao Tribhari Anay, representing the Berar
Provincial Congress Committee.
5. Mr. C.B. Parakh, representing the C.P. and Berar
Graduates' Association.

LIST OF MEMBERS FOR THE COMMITTEE ON B. M. M. M. M.

Wednesday, the 11th December 1919.

1. The Hon'ble Mr. P. B. A. Flood, C.I.E., I.C.S.,
(Chief Secretary to the Chief Commissioner).
2. Kesh Sahib Husaini Abdul Kadir,
(Fleeder, Agra, Bazar).
3. Mr. K. K. Jais, B.C.S.
(Inspector General of Registration).
4. Mr. G. A. Goyal, of Agra.
(For the Depressed India Association).
5. Rao Bahadur R. K. Husaini, C.I.E., of Agra, Bazar.

Thursday, the 12th December 1919.

1. The Hon'ble Rao Bahadur R. K. Husaini of Jubbulpore.
2. Rai Bahadur D. N. Chaudhary of Nagpur.
3. Mr. Rajeshwar Prasad, a land holder of the Harisingpur district.
4. Mr. J. B. Deshpande, a land holder in Bazar.

Friday, the 13th December 1919.

1. The Hon'ble Rao Bahadur R. K. Deshpande,
Eminent Member of the Central Provinces Legislative
Council and land holder in the Central Provinces.
2. Mr. L. D. Gopin, for the Central India Mining Company, Ltd.,
Kamptee.
3. Mr. D. S. Nigam, Fleeder, Nagpur, for the Central Pro-
vinces Provincial Congress Committee.
4. Mr. Madhwaro Narhari Aney for the Bazar Provincial Congress
Committee.
5. Mr. C. B. Patil, for the Central Provinces and Bazar
Graduates' Association.

NOTE ON FRANCHISE PROPOSALS FOR THE CENTRAL PROVINCES AND BERAR.

I.—General description of the Province.

1. The Province, excluding the Feudatory States, covers 99,823 square miles and supports a population of 13,975,279 persons. It comprises five administrative Divisions or Commissionerships, which are again sub-divided into 22 districts of an average extent of 4,537 square miles (*i.e.*, rather larger than Devon and Somerset) and with an average population of 632,559 persons.

The main natural features of the Province are:

- I. The Nerbudda Valley to the north,
- II. The Satpura Plateau south of it, running east and west,
- III. The Maratha Plain in the south-west, and
- IV. The Chhattisgarh Plain in the south-east.

2. The *Nerbudda Valley* and *Satpura Plateau* contain the Jubbulpore and Nerbudda Divisions with ten districts in all. The Nerbudda Valley is the main wheat-growing area of the Province. In the four Plateau districts the soil is poor and minor crops take the place of wheat over large areas. There are eight coal mines and a few manganese mines on the Plateau, and a number of limestone quarries in the Jubbulpore district, but no other important mineral production. There is a glass factory, a cement factory and a Gun-carriage factory in or near Jubbulpore, but no other modern industries. The only towns of importance are Jubbulpore (population 100,651), Saugor (45,908), Khandwa (21,604) and Burhanpur (30,435). The first-named is an important cantonment. Burhanpur is an old Mahomedan town well known for its weaving and gold-wire work. The *Maratha Plain* comprises the Nagpur and Berar Divisions with nine districts in all. In the three easternmost districts rice is the main staple. The remaining six districts produce cotton and jute and constitute by far the most wealthy portion of the Province. The eastern districts contain important manganese mines. The six western districts support 358 cotton gins and presses and 11 spinning and weaving mills. The only towns of importance in this area are Nagpur (134,008), industrially the chief town, as well as the administrative capital of the Province; Amraoti (20,600), the head-quarters of the Berar Division, and Akola (27,183). The *Chhattisgarh Plain* corresponding with the Division of the same name comprises three districts only. It is mainly a rice-growing country. There are practically no modern industries in the Division and no towns of importance unless we except Raipur, the Divisional head-quarters (35,335).

3. Over the Province as a whole no less than 79 per cent of the population are occupied in pasture and agriculture. Six per cent are engaged in industries, and 4 per cent in trade.

The percentage of literacy in the Province is 6 for males and 3 for all persons.

Berar, it may be noted here, is settled on the Bombay *ryotwari* system, the cultivator being directly responsible for the revenue of his holding to the State. In the Central Provinces the revenue system is known as *malguzari*. The individual cultivator is secured in possession of his holding and his assessment is fixed by Government, but his payments are made to a village proprietor or *malguzar* who alone is responsible for the land revenue of the village.

II.—System of popular representation in force at present.

4. Under existing arrangements the people of the Province, other than the wealthier landholders, are represented in the local Legislative Council by a system of indirect election. There are at present 40 elected members of the local Legislative Council. Four were elected by the 584 members of those "notified" Municipal Committees which enjoy a local income of not less than Rs. 5,000 per annum. Of these 584 members 117 were nominated. Three were elected by the 432 members of District Councils (or District Boards as they are called in Berar), of whom 79 were nominated members. Three were elected by

1,154 "landholders"—a term which includes Honorary Magistrates and *Darbaris* and those whose land is assessed to land revenue of not less than Rs. 3,000 (in Berar Rs. 1,000) per annum.

5. Certain statements are appended* which give the statistics of popular representation in the Central Provinces Legislative Council. The first of these statements gives the numerical strength of the voters on the rolls in notified Municipal Committees as 49,593, while that of the voters for the Local Boards, by whom in turn the members of the District Councils or Boards were chosen, was 66,270. The varying character of the franchise in different Municipal and Local Board electorates is also indicated.

*Appendix I.

6. Certain backward rural areas have been excluded from this measure of popular representation, either because they have not (like the Mandla District) been brought within the scope of the Local Self-Government Act, or because they have (like many of the Scheduled Districts) been excluded under Section 36 of that Act from the operation of the ordinary provisions regarding local elections (see paragraph 8).

7. A note† explaining the qualifications of voters and candidates and also the electoral machinery employed under the present system of elections to municipal and local bodies is appended.

† Appendix II.

III.—Backward Areas for Exclusion.

8. The Chief Commissioner, following the suggestion made in paragraph 199 of the Indian Reforms Report for the special treatment of backward tracts, has decided that the following areas in the Central Provinces should be classed as backward and omitted from the electoral scheme:—

- (1) The Sironcha Tahsil of the Ghanda District,
- (2) All scheduled districts according to the Scheduled Districts Act of 1874, and 12 other zamindari estates in the Chhattisgarh Division,
- (3) The Mandla District except Mandla Town, and
- (4) The Melghat Taluq. of the Amraoti District.

These areas are for the most part inhabited by a homogeneous aboriginal population which keeps itself aloof from the Hindu population. They are remote, ill adapted to good class agriculture, and mainly occupied by hills and forest. The elective principle for Local Boards under the Local Self-Government Act is not at present applicable to them, and until it is applied it does not seem reasonable that they should be included in constituencies for election to the Legislative Council.

9. The Local Administration's letter No. 389-A—IV, dated the 21st November 1918, of which a copy is appended‡ to this note, explains the Local Administration's proposals. The total population of the area recommended for exclusion is 1,646,670. It is proposed to nominate one member in the local Legislative Council to represent the Mandla District (population 395,855) and another to represent the 02 excluded Zamindaris (population 1,162,404).

‡ Appendix III.

The Scheduled Districts of the Central Provinces are the following:—

CHHATTISGARH ZAMINDARIS.

- | | |
|---------------------|---------------|
| 1. Khariar. | 11. Pandaria. |
| 2. Bindra-Nawagarh. | 12. Pendra. |
| 3. Sabaspur. | 13. Matin. |
| 4. Gandah. | 14. Uprora. |
| 5. Silheti. | 15. Kendra. |
| 6. Barbaspur. | 16. Lapha. |
| 7. Thakurtola. | 17. Chhuri. |
| 8. Lohara. | 18. Korba. |
| 9. Gondardehi. | 19. Chapa. |
| 10. Fingeswar. | 20. Phuljhar. |

CHANDA ZAMINDARIS.

<p>* Now in Drug District.</p> <ol style="list-style-type: none"> 1. Ahiri. 2. Ambagarh Chauki.* 3. Aundhi.* 4. Dhanora. 5. Dudhmala. 6. Gewarda. 7. Jharapapra. 8. Khutgaon. 9. Koracha. 10. Kotgal. 	<ol style="list-style-type: none"> 11. Murangaon. 12. Panabaras. 13. Palasgarh. 14. Rangt. 15. Simundl. 16. Sorsari. 17. Chandala. 18. Gilgaon. 19. Pawi Muntanda. 20. Patagaon.
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CHHINDWARA ZAMINDARIS.

<p>† Now in Hoshangabad District.</p> <ol style="list-style-type: none"> 1. Harai. 2. Chhater.† 3. Gorakhghat. 4. Gorpani. 5. Baktagarh. 	<ol style="list-style-type: none"> 6. Bargarh. 7. Pachmarhi. 8. Partabgarh. 9. Almod. 10. Sonpur. 11. Bariam Pagara,†
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IV.—Statistics on which proposals are based.

10. The proposals which will now be made for the formation of constituencies for the Central Provinces and Berar are based on figures which have been collected during the past three months from the districts. A copy* of the statistics so collected and of the instructions which were issued to district officers in regard to their preparation is appended to this note. The Chief Commissioner wishes to call attention in the first place to the system which has been adopted in dealing with recorded joint sharers in the ownership of land, or in a tenant holding. These are contained in items V and VII of the Instructions for Form A. For example, where two persons are recorded as joint tenants of a holding assessed to Rs. 50 rent, each is shown in the statistics as paying Rs. 25 only. This has an important bearing on the representation of the joint Hindu family. If the elder member of the family in possession of the holding were alone taken into account, he would qualify for the vote. As it is, under the system proposed for the Central Provinces the joint family in the instance given is unrepresented. It seems, however, more logical to allow each person claiming to vote the benefit only of such a property qualification as can be properly ascribed to him as an individual.

11. Under item VI of the same Instructions holders of rent-free or revenue-free plots have been, for simplicity's sake, left out of account. For the same reason the landlords and plholders or tenants' classes have under item X been made mutually exclusive. For instance, a landlord in the Nagpur District assessed to a land revenue of Rs. 95 and also paying Rs. 45 as rent for a tenant-holding is excluded from the number of those qualified to vote. And no account has been taken of the rental valuation of a landlord's home-farm, thus on a given franchise excluding the smaller landlords whose revenue payment is not of the qualifying amount even though the rental valuation of their home-farm might qualify them for it in their capacity as cultivators. These considerations indicate that the statistics collected, though only intended to be approximately correct, have a tendency to understate the number of voters which will eventually be disclosed.

12. In the municipal towns statistics have been collected of persons occupying houses on stated annual rental values. The figures have been supplied by the municipal committees concerned, but in some cases the returns appear to be open to question. There has been no time, however, to verify the returns received. It is probable that here also some addition to the roll of voters might result on a further scrutiny of the rental lists.

V.—Qualifications for the new franchise.

13. The Chief Commissioner in the note which he has recorded on the joint scheme of Reforms has strongly emphasized the necessity of caution in

deciding as to the extent to which the franchise should be conferred. He does not here wish to repeat the arguments which have led him to the opinion that in the Central Provinces the franchise cannot be really broad, further than to mention that the people, especially in the rural tracts, show little interest in public affairs, and that it would further be impossible to conduct elections without irregularities if the polls were swamped with masses of voters.

14. He has come to the conclusion that the following classes should be regarded as qualifying for the vote in the Central Provinces:—

- (1) Landlords paying or liable to pay Rs. 100 or more land revenue.
- (2) Persons whether landlords, tenants, plotters or ryots holding agricultural land assessed at Rs. 50 or more in rent or revenue.
- (3) Persons paying income-tax.
- (4) Persons residing in urban areas and occupying houses of a rental value of Rs. 48 or more per annum.

15. The Chief Commissioner adheres to the opinion which he expressed in January last that the qualification for the actual cultivator of land should be lower than that for the rent-receiver or landlord, seeing that the cultivator's assessment connotes a much higher income than that indicated by the corresponding assessment of a mere rent-receiver. He has therefore taken the figure of revenue payment for the latter at double the cultivators' payment. The principle underlying this differentiation is already accepted in the existing electoral scheme for these Provinces (see paragraph 4 above), a payment of Rs. 1,000 by a cultivator in Berar being taken as the equivalent of a payment of Rs. 3,000 by a landholder in the Central Provinces.

The Chief Commissioner would in rural areas take a rental of Rs. 50, corresponding roughly to an income of Rs. 500 or 600 per annum, as a convenient standard for the franchise. But there is no hard-and-fast principle underlying the selection of this figure. The only satisfactory guide in forming an electorate is to estimate from local knowledge the class of intelligence which will be brought into play in a given area by the application of a given franchise.

In the towns, it is proposed to base the qualification for the vote on the payment of house-rent as indicated in item (4) above. It may be taken for granted that most income-tax payers will find a place amongst persons paying Rs. 48 and above as house-rent, and in the statements appended,* setting forth the detail of the electorates proposed, these are left out of account for the purpose of arriving at the number of voters in a constituency.

16. With regard to the standard of Rs. 50 put forward as the qualification for a cultivator's vote, the Chief Commissioner is prepared to modify it so as to accept a lower rate in the case of certain lightly-assessed districts where a standard of Rs. 50 would give an electorate too small for the proper representation of the cultivating class. These districts are:—

Bhandara and Chanda in the Nagpur Division,
Raipur, Drug and Bilaspur in the Chhattisgarh Division,
Nimar, Betul and Chhindwara in the Nerbudda Division,
Seoni in the Jubbulpore Division, and
Yeotmal in the Berar Division.

In all these districts the incidence of the rent on tenant land is less than one rupee per acre. In Chanda and the three districts of Chhattisgarh tenants' holdings are small, and here and in Betul, where, though holdings are larger the average incidence of rents is only 6 annas 10 pies per acre, Rs. 30 is proposed for the cultivator's franchise. In the other lightly-assessed districts and in Balaghat, where, though the rental incidence is over one rupee, the holdings are unusually small, a payment of Rs. 40 may be taken to qualify the cultivator for a vote.

A statement† is appended showing the incidence of tenants' rents per acre in the different districts of the Province and indicating the average area upon which the minimum rental qualifying for the proposed franchise is paid.

* Appendix VI.

† Appendix V.

17. Only males of 21 years of age resident within the territorial limits of the constituency who register themselves as voters will be qualified to exercise the franchise. No person (other than members of the University Senate, who will also exercise their territorial franchise) will be qualified to vote in more than one constituency.

18. No separate educational qualification is suggested. While fully admitting the value of education as a supplementary qualification for the franchise, the Chief Commissioner would strongly deprecate its adoption as a qualification *per se*. Intelligence is not the same as common sense, and the latter quality can best be imported into politics by providing that the voter shall have a practical and not merely theoretical interest in the issues at stake.

19. In the case of urban constituencies the proposal is to base the franchise mainly on the ownership or occupation of a house of the annual rental value of Rs. 48 per annum. The existing municipal franchise is usually based either on assessment to taxation or on receipt of a certain income. But the preparation of accurate estimates of income is always difficult, while the basis of taxation in the municipalities of these Provinces is most frequently the house-rent, and the latter seems therefore most suitable for adoption for the purpose of the new electoral franchise.

20. Statistics show that there are in municipal areas nearly 24,000 persons whose house-rent is Rs. 48 or more per annum. But only 4,700 persons are assessed to income tax. From these figures it is clear that a house-rent of Rs. 48 implies the receipt of a net income considerably less than Rs. 1,000 per mensem. Probably such a house-rent would be paid in many localities by those with a net income of about Rs. 600 per annum, which may be taken also as the approximate net income of the average cultivator who possesses the minimum qualification for a vote.

VI.—Urban Constituencies.

21. The total population of the Provinces, excluding the Feudatory States, is 13,975,279. Deducting the population of the backward areas already mentioned, the population for whom representation is to be found in the new Council will be 12,328,609. ^{Appendix VI.} Nine members are proposed* for urban constituencies with a population of 826,611 persons, as against 36 members for rural constituencies with a population of 11,501,998 persons. The disproportionate representation thus given to the towns is justified by the comparative intelligence of the townsman and his aptitude for political education and also by the fact that the professional and commercial classes are largely concentrated in urban areas.

22. Separate representation is provided for the two cities of the Province—Nagpur (with Kampjee) and Jabulpore. The other towns are grouped in the Central Provinces by Divisions, those of each Division forming a separate constituency. In Berar, where the urban population is larger, it is proposed to have two constituencies, one for the towns of East Berar and another for those of West Berar. The total urban electorate for the Province will number 27,608 persons or 3·3 per cent of the total urban population.

23. An alternative scheme forming the nine largest towns into eight separate constituencies has been prepared for the consideration of the Committee. But the Chief Commissioner is inclined to prefer the system of grouped towns explained in the preceding paragraph.

24. Polling will present no difficulty in the towns. The largest municipality in the Province is Nagpur with some 5,000 electors. It was possible at the last municipal election† for a single officer to deal with about 50 voters per hour or about 300 in the day. There will be no difficulty in finding a sufficient number of reliable polling officers. Almost all the towns which form urban constituencies are Tahsil if not District Head-quarters with a staff of responsible officials. And

* See Appendix II.

their work will be facilitated by the relatively large proportion of literate voters. In the twelve towns of the Province for which the figures are available the percentage of literate male adults to the total population is 10 per cent.

VII.—Rural Constituencies.

25. The population to be represented in the rural constituencies totals 11,501,998 persons. The statements attached* show the constituencies which the Chief Commissioner proposes for adoption. They are 36 in number. In some of the larger districts such as Nagpur, Wardha, Bhandara, Saugor and Amraoti, it has been found impossible to divide the districts into suitable areas so as to form separate constituencies without running counter to the existing lines of administrative sub-division. The system of administration in these Provinces is based on the District and the Tahsil, and any classification of areas for the purpose of forming homogeneous constituencies which cuts across this system would not be readily understood, otherwise the Chief Commissioner would have no strong objection to it, if it is thought better to have smaller single member constituencies. In the districts mentioned it is therefore proposed to form plural constituencies, electing in some cases three and in some cases two members. The Chief Commissioner himself sees no great objection to plural constituencies in the case of these districts. He would have personally preferred small single constituency areas within the district, could these have been suitably formed. But as we are in any case making an experiment in representation, he does not think that the adoption of plural constituencies in a certain number of cases should be opposed at this preliminary stage. The existence of plural constituencies will in no way alter the system of voting. One man one vote is a simple principle which the people can understand and it should be everywhere applied.

26. Generally speaking the basis of representation which the Chief Commissioner would for the present adopt is that no single constituency should have more than 3,000 voters, though it has been found impossible to adhere to this standard in all cases. With regard to individual districts the Chief Commissioner wishes to make the following remarks.

In the *Bhandara* district the number of voters might indicate that only one member should be given for the district. Its population is, however, large (773,677), practically all rural. A re-settlement of the district is at present in progress and the number of persons paying Rs. 46 rent and over is likely to be substantially increased before the new electorates are formed. On the whole therefore the Chief Commissioner would prefer to make it a two-member constituency.

The *Narsinghpur* district is a small one with a population of 325,677. It contains, however, a large number of tenants of good standing, and it is proposed that it should be allowed to return two members.

The three districts of *Raipur*, *Bilaspur* and *Drug* contain large populations, namely, 1,324,856, 1,146,223 and 775,688. But if Zamindari areas are excluded, as has been proposed above, the figures for the rural population are reduced to 817,552, 774,067 and 581,391. Even taking Rs. 30 as the qualification for a cultivator's vote, the number of voters in the Bilaspur district will be comparatively small. The Chief Commissioner thinks that Raipur, which is the most important of the three districts, might be given two members, the others returning one each.

27. As regards polling in rural constituencies, past experience in connection with Local Board elections can provide but little useful information.* Under the existing system the tahsil is the largest unit for which an election is held. And the electorates in each tahsil number only a few hundred persons, of whom a comparatively small percentage take the trouble to attend the poll. The present elections are handled by the Tahsildar and his assistant and give no practical indication of the difficulties which will arise in polling the very much larger electorates now proposed.

28. The main factors governing an estimate of the number of rural voters which can be polled would seem to be—

- (1) The intelligence of the voters and the number of literates among them.
- (2) The number of officers of standing available for the work of polling.

As to (1) there will be a marked difference in this respect between rural and urban constituencies. Knowing the average cultivator's ideas of punctual and prompt compliance with instructions, the Chief Commissioner doubts whether a single polling officer will be able to deal with more than 200 to 250 rural voters in a day. In the Chief Commissioner's opinion it is desirable that, if possible, the polling at each polling station should be completed in one day; protraction would facilitate impersonation, undue influence and so forth, which it can hardly be hoped altogether to avoid.

As to (2) in the Chief Commissioner's opinion it will be best to employ selected Government officers to supervise the polling. The required number of officials will be forthcoming in the persons of the three or four Assistant or Extra-Assistant Commissioners, the District Excise Officer, the three or four Tahsildars and Naib-Tahsildars, the Deputy Inspectors of Schools and Headmasters of middle schools and the Superintendent of Land Records and his assistant, who are attached to every district. In a district of average size their number will be not less than fifteen. The best plan would appear to be to hold the elections for different tahsils on different dates, so as to enable the requisite number of polling officers to move from one to the other, if this should be necessary.

VIII.—Constitution of the Legislative Council.

29. The present Council includes, besides the Chief Commissioner who is a member *ex-officio*,

(a) 10 elected members, as explained in paragraph 4 above;

(b) 14 nominated members, of whom 10 are nominated officials;

(The officials at present nominated are the Financial Commissioner, the Commissioner of Berar, three Secretaries, the Legal Remembrancer, the Chief Engineer, the Inspector-General of Civil Hospitals, the Inspector-General of Police, and the Director of Public Instruction.)

and one expert member.

The total, exclusive of the President, is thus 25, as against a statutory maximum of 30.

30. The new Council may be constituted as follows:—

Ex-officio Members.

- 1 President.
- 1 Member of the Provincial Executive Council.*

Elected Members.

- 9 Members for Urban Constituencies.
- 36 Members for Rural Constituencies.
- 1 Member for the Central Provinces University.

Nominated Members.

- 1 Member for the Mandla District.
- 1 Member for the excluded Zamindaris.
- 7 Official Members.
- 1 Expert Member.
- 1 Member to represent the Zamindars and hereditary Title-holders of the Province.
- 3 Members to represent the Mahomedan Community.
- 1 Member to represent the non-official European and Anglo-Indian Community.
- 1 Member to represent the Depressed and Backward Classes.
- 1 Member to represent the Mining Industry.
- 1 Member to represent Factories.

* The other member will be one of the elected Legislative Council members.

The total membership of the Council, exclusive of the President, will thus be 65, of whom 46 members will be elected, 18 nominated, and one appointed *ex-officio*.

31. The Central Provinces University has not yet come into existence. When it is established the member to represent it can most suitably be elected by the Senate. The Senate in the final scheme will consist of the Chancellor, the Vice-Chancellor, 9 *ex-officio* members, 14 nominated members, 34 members of the Teaching Staff of the University and incorporated Colleges nominated by the Chancellor, 15 graduates elected by registered graduates, and 3 co-opted members. The Chief Commissioner is not in favour of devising a special electorate of registered graduates and teachers. It is the University which is to receive representation in the local Legislative Council, and in view of the proposal so to constitute the Senate as to secure due representation of all its members, it seems unnecessary to devise any wider electoral body.

IX.—Proposals for Nominated Members.

32. One member will be nominated to represent the excluded district of Mandla (population 395,855) and another to represent the excluded Zamindaris of Chhattisgarh, Chanda and Chhindwara (population 1,162,404)—*vide* paragraphs 8 and 9 above.

33. There will be seven nominated official members. With a Council, as proposed, of 65 members, nine officials will be needed to provide the maximum official representation permitted in the Grand Committee. In addition to the seven here proposed there will be one member of the Executive Council in the Legislative Council, and one expert who, to begin with, will usually be an official.

34. The Chief Commissioner would recommend the nomination of eight members to represent those special classes, communities or interests which are unlikely in the new Council to gain the representation which they need.

35. The Chief Commissioner would nominate a member to represent the Zamindars and important landholders having hereditary titles. These constitute a distinct class. There is already separate representation for landholders, and the most important of these, constituting as it were the aristocracy of the Province, should continue to hold a seat in the reformed Council. The Zamindars concerned number 106, including those belonging to excluded areas, as well as those from other parts of the Province, for there is no distinction between them. And there are 88 title-holders all of whom represent old landed families. The class is small but represents an important landed interest and has an historical position in the Province. It would be in keeping with the traditions of the class that its representative should be nominated and not elected.

36. The Chief Commissioner in his note on the Montagu-Chelmsford scheme has pointed out that "in the Central Provinces we are fortunately so circumstanced that the question of communal electorates can hardly be said to arise. The Mahomedans are but a fraction of the population and are widely scattered: it is next to impossible to suggest constituencies to meet their case, and in the Central Provinces it would be correct to lay down from the outset that the special exception which the Report has made as to the representation of this community cannot be carried into practical effect."

The total Mahomedan population of the Provinces is 574,276 or 4 per cent, of the whole. In the proposed urban constituencies the Mahomedan population is 161,337 or 20 per cent of the whole. But in only three towns (Jubbulpore, Nagpur and Burhanpur) does their number exceed 10,000 and in only seven others (Saugor, Khandwa, Amraoti, Akola, Ellichpur, Raipur and Kamptee) does it exceed 5,000. In rural areas the total Mahomedan population is 393,160 and in no district does it exceed 60,000.

The arrangement "promised to the Mahomedans by Lord Minto in 1906 and secured to them by the Reforms of 1909," to which a reference is made in paragraph 227 of the Reforms Report, is of doubtful application to the Central Provinces and Berar. A Legislative Council for these Provinces was

formed only in 1913, and the proposal of the Chief Commissioner at that time to the effect that "the Mahomedan community which is small and scattered can most conveniently be provided for by the nomination of one of its leaders" was definitely accepted by the Government of India. The authors of the Reforms Report themselves "regard any system of communal electorates as a very serious hindrance to the development of the self-governing principle," and in the absence of any pledge by Government to such a system in the Central Provinces it appears undesirable to introduce it, if it can be avoided. As in the case of other minorities therefore the Mahomedan community will in these Provinces be most suitably represented by nomination. And it will be sufficiently represented by three members.

37. It is proposed to nominate one representative for the European non-official and Anglo-Indian communities. Figures distinguishing officials from non-officials are not available, but the total number of British subjects at last census was 6,957 of whom nearly half were in all probability British troops and their dependants at Jubbulpore, while the Anglo-Indian community numbered 3,343. The numbers are small, but under the new regime it will be desirable to give this class a representation which it cannot otherwise hope to obtain.

38. Certain backward or depressed classes also require special representation. They will have a certain number of votes in the ordinary constituencies, but these will be comparatively few as their status is ordinarily not such as to qualify them for the franchise, though their numbers are considerable. The impure castes, which are 13 in number, total 3,060,232 persons according to last census, of whom 1,165,177 are Mahars and 901,594 are Chamars. The same number of Forest and Hill Tribes total 3,378,893, of whom 2,333,893 are Gonds. In this case also nomination is not only desirable in principle but is practically essential if the peculiar interests of these special classes are to be properly represented.

39. There are important mining interests in the Central Provinces and Berar. The manganese mines, 51 in number, employ on an average 13,142 persons daily, and have an annual output of 482,961 tons valued at Rs. 37,75,467. The coal mines number 11, employ on an average 4,256 persons daily, and have an annual output of 371,901 tons valued at Rs. 15,15,931.

The Central Provinces and Berar Mining Association, constituted in 1908, is fully representative of the two chief mining industries of the Province. But its membership is small, 16 persons in all, and for this reason the Chief Commissioner would advise that the representative of this interest be for the present nominated. But if election is preferred, it would be better to leave it in the hands of the members of the mining Association at a special general meeting than go behind the Association and create a wider electorate.

40. The only factories of importance are those connected with cotton. There are 13 cotton spinning and weaving mills which employ on an average nearly 14,000 persons daily, and 126 cotton gins and presses employing nearly 28,000 persons. But neither owners nor managers have so far formed an association of any sort to protect or promote their interests. This is an industry which requires special consideration. The Chief Commissioner would therefore allot one seat in the Council to factory owners and managers to be filled, in the absence of a fully organized and representative association, by official nomination.

X.—The Qualification of Candidates.

41. As regards the question of the qualification of candidates for election to the Legislative Council it seems only necessary to prescribe the general condition that no person shall be eligible for election unless he possesses the qualification for a vote and has been registered as a voter within the constituency for which he stands.

XI.—The Indian Legislative Assembly.

42. In paragraph 274 of the Reforms Report it is proposed to allot five seats in the Indian Assembly to members elected to represent the Central Provinces and Berar. This representation will, in the Chief Commissioner's opinion, be adequate, seeing that officials will also, according to paragraph 277, be eligible for nomination to the same body. At present one additional member of the Governor-General's Legislative Council is elected by landholders in the Central Provinces and another by the non-official members of the local Council. The Provinces are also as a rule represented by an official nominee, but this depends on the choice of the Governor-General.

The Chief Commissioner would recommend that under the new scheme the five provincial representatives in the Indian Assembly should be elected by the non-official members, whether nominated or elected, of the local Council. But candidature should not be restricted to that body. Any person should be eligible for election who is qualified to vote in any constituency in the Province. Direct election will not be feasible. Elections for the local Council will sufficiently tax the intelligence of such an electorate as these Provinces can produce, and for the Indian Assembly there would appear to be no practical alternative to indirect representation.

XII.—The Council of State.

43. This Province will, according to the scheme outlined in the Reforms Report, return one elected member to the Council of State—officials also being here, as in the Legislative Assembly, eligible for nomination. The Chief Commissioner accepts the proposal. Here again the non-official members of the local Legislative Council will form the only feasible electorate. But in view of the standing of the Council of State the Chief Commissioner would propose to limit the candidature in these Provinces to persons paying Rs. 5,000 as land revenue or having an income of Rs. 25,000 per annum.

Appendix I

Statement showing statistics of popular representation provided in the present Central Provinces Legislative Council.

Name of the constituency.	Total number of persons in the constituency qualified to elect to the Provincial Legislative Council.	Number of elected and nominated members (shown in column 2).		Total numerical strength of the electorates which chose the elected members.	Nature of the qualification for the franchise.
		Elected.	Nominated.		
1	2	3	4	5	6
1. The Municipal Committee of the Jubbulpore Town and the Notified Municipal Committees of the Jubbulpore and Nerbudda Divisions.	218	196	22	20,303	In Jubbulpore and Nagpur Municipalities the qualification for a vote is— (a) the assessment to an annual sum of not less than Rs. 6 in taxes other than octroi, or (b) the assessment to an annual sum not less than Rs. 50 in respect of octroi.
2. The Municipal Committee of the Nagpur Town and the Notified Municipal Committees of the Nagpur and Chhattisgarh Divisions.	212	174	38	17,344	NOTE.—Some special electorates have been formed, e.g., for managers of mills and factories and for graduates. In other Municipalities the qualification for a vote generally is:— (a) the assessment to not less than Rs. 2 per annum in taxes, or (b) the possession of immoveable property, either within the town or district, of an annual letting value of not less than Rs. 30; or (c) the receipt of an annual gross income of not less than Rs. 120.
3. The Municipal Committees of the Nagpur and Jubbulpore Towns.	59	49	10	5,876	
4. The District Councils of the Jubbulpore and Nerbudda Divisions.	145	(a) Mukaddam members ... 71 (b) Trade and Commerce members ... 32 <hr/> 103	42	12,972 <hr/> 3,661 <hr/> 16,633	(a) Appointment to the office of mukaddam of a village. (b) Possession of an income of Rs. 250 a year from non-agricultural sources.
5. The District Councils of the Nagpur and Chhattisgarh Divisions.	162	(a) Mukaddam members ... 58 (b) Trade and Commerce members ... 34 <hr/> 132	30	13,661 <hr/> 7,885 <hr/> 21,546	
6. The Municipal Committees of Berar ...	154	97	57	11,946	Assessment to taxes of not less than Rs. 2 a year or payment of not less than Rs. 25 a year as land revenue. Also fellows or graduates, barristers, advocates, pleaders, jurors, assessors, honorary magistrates, factory owners and managers, and dealers who pay income-tax.
7. The District Boards of Berar ...	125	(a) Agricultural members ... 106 (b) Non-agricultural members ... 12 <hr/> 118	7	21,872 <hr/> 6,219 <hr/> 28,091	(a) Payment of not less than Rs. 4 a year to jaglia or local cess. (b) Possession of a certain amount* of income from non-agricultural sources.

* This qualification has been lately added, and the amount of income has yet to be prescribed.

Appendix I

Statement giving by Districts the distribution of the electorates shown in column 5 of the preceding Statement.

Name of District.	Total number of persons entitled to elect members for Municipal Committees.	Total number of voters of the Mukaddam class entitled to elect members for the Local Boards.	Total number of voters of the mercantile classes entitled to elect members of the Local Boards.		
Nagpur Town	4,328	2,143 } 1,744 } 1,548 } 1,375 } 1,023 }	1,290 } 443 } 735 } 2,010 } 474 }		
Nagpur District	1,973			7,833	4,954
Bhandara	1,814				
Chanda	1,052				
Wardha	3,983				
Balaghat	568				
Jubbulpore Town	1,548	2,436 } 2,101 } 1,313 } ... } 1,509 }	475 } 561 } 435 } ... } 590 }		
Jubbulpore District	660			7,359	2,061
Saugor	2,426				
Damoh	589				
Mandla	854				
Seoni	949				
Hoshangabad	2,148	1,225 } 1,140 } 1,267 } 1,383 } 598 }	611 } 199 } 307 } 173 } 310 }		
Nimar	7,967			5,613	1,600
Betul	623				
Chhindwara	1,419				
Narsinghpur	1,120				
Drug	No Municipality.				
Raipur	1,649	1,885 } 2,242 } 1,701 }	510 } 1,869 } 554 }		
Bilaspur	1,977			5,828	2,933
Amraoti	3,198				
Akoia	5,521	7,489 } 7,288 } 5,036 } 2,059 }	3,804 } 129 } 841 } 1,445 }		
Buldana	2,362			21,872	6,219
Yeotmal	865				
Total	49,593					48,505	17,765

Combined total ... 115,863

Appendix I

Statement showing the number of voters in each Municipality, District Council and Local Board in the Central Provinces and Berar.

Name of Municipality.	Number of electors.	Name of District Council Board	Number of electors.	Name of Local Board.	Number of electors.
Nagpur	4,741	Nagpur	74	Nagpur	703
Ramtek	659			Ramtek	565
Khapa (a)	...			Umrer	744
Kalmeshwar (a)	...			Katol	804
Umrer	858	Bhandara	44	Saoner	379
Mowar	305			Bhandara	840
Saoner	156			Sakoli	535
Bhandara	1,480	Chanda	81	Gondia	584
Tumsar	313			Warora	749
Paoni	214			Chanda	274
Chanda	652			Brahmapuri	556
Warora	330			Garchiroli	406
Wardha	626	Wardha	76	Chanda Zamindaris (b)	...
Arvi	2,210			Wardha	1,288
Deoli	326			Arvi	1,194
Hinganghat	846	Balaghat	25	Hinganghat	778
Pulgaon	680			Balaghat	605
Balaghat	568			Waraseoni	757
Jubbulpore	1,543	Jubbulpore	84	Baihar	460
Sehora	72			Jubbulpore	800
Murwara	536			Patan	624
Saugor	2,275			Murwara	463
Deori	171	Saugor	60	Sehora	917
Khurai	166			Saugor	637
Damoh	923			Khurai	639
Seoni	949	Damoh	33	Cheli	1,014
Mandla	854			Banda	387
Hoshangabad	402	Seoni	40	Damoh	589
Harda	1,383			Hatta	825
Seoni-Malwa	359	Hoshangabad	51	Seoni	706
Pachmarhi (a)	...			Lakhnadon	545
Betul	618			Hoshangabad	478
Chhindwara	1,038			Sohagpur	531
Pandhurna	385	Betul	38	Seoni-Malwa	245
Sausar	604			Harda	672
Narsinghpur	463			Betul	511
Gadarwara	218	Chhindwara	50	Multai	638
Chhindwara (Chota)	160			Bhainsdehi	387
Khandwa	2,569			Chhindwara	686
Burhanpur	5,407			Amarwara	324
Raipur	1,176	Narsinghpur	34	Sausar	493
Bilaspur	1,977			Chhindwara (a)	...
Drug (a)	...			Narsinghpur	426
Dhantari	231	Nimar	37	Gadarwara	278
Amraoti Town	3,222			Khandwa	991
Amraoti Camp (a)	...			Burhanpur	324
Ellichpur City (a)	...			Harsud	507
Ellichpur Civil Station (a)	...			Raipur	781
Akola	2,715			Dhantari	595
Akot	1,104			Baloda Bazar	818
Karanja	642			Mahesamund	319
Basim	1,603	Bilaspur	85	Raipur Zamindaris	...
Murtizapur	793			Bilaspur	1,177
Buldana (a)	...			Mungeli	956
Khamgaon	844			Janigir	1,202
Shegaon	920	Drug	72	Bilaspur Zamindaris	...
Malkapur	819			Drug	595
Yeotmal	807			Bemetara	623
				Sanjari	456
		Amraoti	90	Drug (Northern Zamindaris)	...
				Drug (Southern Zamindaris)	...
				Amraoti	2,466
				Chandur	2,070
				Morsi	1,168
				Ellichpur	1,830
				Daryapur	1,436
		Akola	108	Akola	2,030
				Akot	1,150
				Balapur	1,180
				Basim	1,295
				Mangrul	531
		Buldana	90	Murtizapur	1,174
				Chikhli	755
				Mehkar	1,044
				Malkapur	1,638
				Jalgaon	902
				Khamgaon	1,576
		Yeotmal	90	Yeotmal	746
				Darwha	583
				Fusad	345
				Kelapur	280
				Wun	614

(a) Has a nominated Committee.
(b) There is no election.

Appendix II

Note on the present system of elections to Municipal and other Local Bodies in the Central Provinces and Berar.

PART I.—MUNICIPAL ELECTIONS.

A.—THE QUALIFICATIONS OF ELECTORS AND OF CANDIDATES FOR ELECTION IN THE CENTRAL PROVINCES.

1. The following are the qualifications entitling a person to vote or stand as a candidate at any Municipal election :—
 - (1) residence within the town for not less than six months before the election; and also
 - (2) one or more of the qualifications entered on the first page of Appendix I as required for each Municipality.But no person is qualified to vote at a Municipal election who—
 - (a) is a female; or
 - (b) is of unsound mind; or
 - (c) is under 22 years of age; or
 - (d) has been convicted of any heinous or disgraceful offence; or
 - (e) makes his livelihood by begging or any immoral occupation; or
 - (f) whose name is not on the register of electors (Rules 13 to 16) at the time of the election.
2. No person is qualified to stand as a candidate for election who—
 - (a) is a female; or
 - (b) is of unsound mind; or
 - (c) is under 22 years of age; or
 - (d) has been dismissed from Government service for misconduct, or has been declared to be disqualified for employment in the public service, or has been convicted of any heinous or disgraceful offence; or
 - (e) has been declared insolvent; or
 - (f) earns his livelihood by begging or any immoral occupation; or
 - (g) is unable to read and write; or
 - (h) is a non-gazetted servant of Government and has not obtained the sanction in writing of the Commissioner of the Division to his offering himself as a candidate for election; or
 - (i) whose name is not on the register of electors (Rules 13 to 16) at the time of the election; or
 - (j) who has been removed from the Committee under Section 13 of the Municipal Act, unless the sanction of the Chief Commissioner has been obtained to his candidature.
3. When an undivided Hindu family, a company or a firm is qualified to vote at a Municipal election only one member thereof is eligible to vote as a representative of such family, company, or firm.

B.—THE QUALIFICATIONS OF ELECTORS AND OF CANDIDATES FOR ELECTION IN BERAR.

4. The qualifications for enrolment in the register of voters for the several constituencies are :—
 - (1) residence, or the possession of a shop, office or other place at which the voter carries on his business, within the limits of the Municipality concerned during the whole of the four months next before the first publication of the lists of voters, provided that temporary absence shall count towards the period of four months, and
 - (2) the qualifications specified on the first page of Appendix I: but no person is qualified for entry in the register who—
 - (a) is less than 21 years of age;
 - (b) is of unsound mind;
 - (c) is not either a native of Berar or a natural born or naturalized British subject or a subject of a State in India.

NOTES.—(1) When a company or firm is qualified for enrolment in the register of voters, only one member or manager thereof is eligible to vote as its representative.

(2) If two or more persons jointly occupy a house or land as owners, they select one of themselves to be a voter.

5. Every candidate for election as representative of a ward constituency must possess the following qualifications :—
 - (a) Enrolment in the revised lists of voters.
 - (b) Payment of Rs. 10 or more on account of the taxes specified in Section 41 (A), (a), (b) and (c), and of any taxes referred to in Sections 42 and 43 of the Municipal Law :

Appendix II

But this qualification is not required of fellows or graduates of a university, barristers, advocates, pleaders, jurors, assessors, and honorary magistrates.

6. Persons enrolled in the last revised list of voters for the Factory, Commerce or Joint Factory and Commerce constituencies are eligible as candidates for those constituencies :

But—

(a) No person is eligible as a candidate for any constituency, who—

- (i) is a woman;
- (ii) is unable to read and write;
- (iii) has been declared insolvent;
- (iv) has been convicted of a non-bailable and cognizable offence, or has been bound over by a criminal court to keep the peace or be of good behaviour;
- (v) has been declared by notification to be disqualified for employment in Government service;
- (vi) is in the service, or has been dismissed from the service, of the Municipality concerned;
- (vii) is an officer of Government and has not obtained the sanction in writing of the Commissioner of the Division to offer himself as a candidate;
- (viii) whose election would, in the opinion of the Chief Commissioner, be dangerous to the public peace or order;
- (ix) has, directly or indirectly, any share or interest in any work done by order of the Municipal Committee, or in any contract or employment with or under that Committee; and

(b) No person is eligible for candidature in a ward constituency who has not resided or carried on business in the ward for which he is a candidate during the whole of the six months next preceding the date of the election: but temporary absence counts towards the period of six months.

C.—THE ELECTORAL MACHINERY EMPLOYED:

7. The following is a description of the system adopted at Municipal elections in Nagpur City.

8. Every third year a general election is held to elect 29 members to represent the rate-payers of the 20 wards into which the Municipality is divided and three special classes, *viz.*, octroi-payers, graduates and mill and factory owners. The elections continue for 5 days as the polling of only 4 or 5 wards or classes can be dealt with in a single day.

9. The date, hour and place of election for each ward and class is fixed at least 21 days before the date of election by the Deputy Commissioner and is notified by posting printed notices at conspicuous places in each ward. As far as possible the polling station for each ward is fixed within the ward. A polling officer not below the status of a Naib-Tahsildar is appointed for each station, but where the number of registered voters exceeds 350 a second officer is appointed. None but officials are employed. Extra-Assistant Commissioners supervise the polling which is actually conducted by the Tahsildar, Additional Tahsildar, Naib-Tahsildars and Court of Wards Managers. On an average a polling officer can deal with 300 voting papers in a day of 6 hours or 50 per hour. In the last election in one ward 322 voting papers were actually dealt with in 6 hours.

10. A supervising officer of the status of an Assistant or Extra-Assistant Commissioner is appointed by the Deputy Commissioner to supervise the proceedings of two or more polling officers. At each polling station a voting paper with the names of the candidates printed thereon is delivered in the presence of the candidates or their agents by the tax-collecting and sanitation staff to each registered voter as he enters the polling booth. The literate voter goes to a side table, scores out the printed names of all except the candidate or candidates for whom he wishes to vote and puts his initials against each entry scored out by him. He then signs the voting paper, folds it and hands it over to the polling officer, who in his presence puts it into a sealed box through a slit in the lid. An illiterate voter takes his voting paper to the polling officer and puts his mark on it and the polling officer attests it. As far as possible each voter is identified before he votes by Municipal officials and the candidates. If any question as to the identity of a voter is raised by a candidate or by a person entitled to vote or by the polling officer himself, the latter enquires into the matter at once and by an order in writing rejects or admits the vote in question. In doubtful cases the polling officer may require the voter to affix his thumb impression.

11. At the close of the poll, the boxes containing the voting papers are sent by the polling officers to the Secretary after being properly closed. Each box is opened by the President (or by members of the Sub-Committee to whom he may delegate his power) at the Municipal office in the presence of such candidates as may desire to be present there; the date and time of opening the box is announced to the candidates by the polling officer at the close of the poll.

12. At the last general election out of 4,589 voters in contested wards, 2,250 persons or 49 per cent recorded their votes.

PART II.—LOCAL BOARD ELECTIONS.

A.—GENERAL.

13. In the Central Provinces the district is divided into from 3 to 5 tahsils. There is a Local Board for each tahsil and a District Council for the whole district. Each Local Board area is divided up into circles containing about 50 to 60 villages each. There are usually 8 or 10 circles in each Local Board area. The Local Board consists of as many mukaddam members as there are circles (one mukaddam being elected from each circle), three or four members elected from the whole Tahsil to represent the mercantile or professional classes and three or four nominated members. In Berar the district is divided into from 4 to 6 taluqs. There is a Taluq Board for each taluq and a District Board for the whole district. Each taluq has 12 elected and 6 nominated members on its Board. Of the 12 elected members four are required to retire or stand for re-election each year and the four vacancies are filled by a general election for the whole taluq. There are no circles in Berar.

B.—THE QUALIFICATIONS OF ELECTORS AND OF CANDIDATES FOR ELECTION IN THE CENTRAL PROVINCES.

14. A representative mukaddam is elected in the presence of an officer of not less rank than a Naib-Tahsildar by the mukaddams of each circle.
 Note.—The mukaddam is the executive headman of the village. Ordinarily one is appointed for each village from among the proprietors.

15. In the case of the mercantile classes or professions the electorate is composed of persons who

- (a) belong to the mercantile classes or to professions (including Government service);
- (b) reside within Local Board areas;
- (c) are in possession of an income of Rs. 250 per annum from non-agricultural sources;

But no person is qualified to be enrolled on the register of electors who

- (a) is a female; or
- (b) is of unsound mind; or
- (c) is under 22 years of age; or
- (d) has been convicted of any heinous or disgraceful offence; or
- (e) makes his livelihood by begging or any immoral occupation.

16. Any person whose name is on the register of electors is qualified for election as a mercantile or professional member: but no person is qualified who

- (a) has been dismissed from Government service for misconduct, or has been declared to be disqualified for employment in the public service; or
- (b) has been convicted of any offence, which, in the opinion of the Chief Commissioner, renders him unfit to be a member;
- (c) has been declared insolvent in the past ten years;
- (d) is unable to read and write;
- (e) is a non-gazetted servant of Government and has not obtained the sanction, in writing, of the Commissioner of the Division to his offering himself as a candidate for election.

C.—THE QUALIFICATIONS OF ELECTORS AND OF CANDIDATES FOR ELECTION IN BERAR.

17. The electoral body consists of all male persons not being minors or insane paying not less than Rs. 4 per annum to the jaglia and local cess of the taluq. The cess is levied at the rate of one anna per rupee of revenue. Hence all those whose revenue assessment is Rs. 64 or more per annum are entitled to a vote.

18. The following persons, not being already qualified, are also electors and are entitled to vote at any election of members of a Taluq Board:—

- (a) Special Magistrates having jurisdiction within the taluq;
- (b) Revenue and Police Patels and Watandar Patwaris having jurisdiction within the taluq; and
- (c) The heads of Deshmukh and Deshpandiyas families: if the head is a minor or insane or a female, the next senior male may vote.

19. The following persons are eligible for election as members of the Taluq Board:—

- (1) Any person permanently residing in the taluq who holds land therein, the assessment of which exceeds Rs. 100 per annum;
- (2) Any person who holds an inam or jagir in the taluq which would be assessed, if *khalsa*, at upwards of Rs. 100 per annum;
- (3) Special Magistrates and Revenue and Police Patels having jurisdiction within the taluq; and

- (4) Members of Deshmukh and Despandiya families resident within the taluq; but no person is eligible for election who :—
- (a) is under 21 years of age;
 - (b) has been dismissed for misconduct from Government employ;
 - (c) has been sentenced to such imprisonment as, in the opinion of the Deputy Commissioner, would authorize his removal under Section 9 of the Berar Rural Boards Law;
 - (d) is a clerk or servant of the Board.
 - (e) has directly or indirectly any share or interest in any contract or employment with, or on behalf of, the Board;
 - (f) is a female;
 - (g) is insane or afflicted with an incurable disease.

D.—THE MACHINERY FOR ELECTIONS.

20. In the Central Provinces each Local Board is divided into 8 or 9 circles. Each circle elects one Mukaddam member and each Local Board elects three mercantile members.

21. *Preliminary work* consists in—

- (1) The preparation of electoral rolls for each circle.
- (2) Their publication for objections six months before the election takes place.
- (3) The despatch of a notice of elections in the vernacular to each elector one month beforehand.
- (4) The applications of candidates 15 days before election supported by the nomination of two duly-qualified electors.

22. *Election of Mukaddams*.—There is a polling station for each circle. The polling at each polling station is completed in one day. The polling is supervised by a Tahsildar or Naib-Tahsildar in person. Each voter has one vote only. The circles are taken up one after the other. If only one candidate appears, no formal election is held. If there is competition, each voter names his candidate openly to the polling officer, who records his vote on a list. There is no secret ballot, but if any voter is unwilling to speak openly he is allowed to give a slip of paper with the name of his candidate entered on it.

In no case at the last triennial Local Board elections in the Nagpur District did more than 34 voters attend at any one polling station, the number on the roll for any one circle being no where more than 72. In the Nagpur Local Board comprising eight circles there were in all 319 voters for the Mukaddam class, of whom 103 or 32 per cent attended the polls. This may be taken as a fair average for the district.

23. *Election of mercantile members*.—The electoral rolls are prepared for each Local Board or tahsil area, and there is one polling station only, usually at tahsil headquarters. Each voter has three votes, one for each vacancy, but can only vote once for each candidate. The three candidates who receive the largest number of votes are elected. The polling is completed in a single day.

The total electorate for the Nagpur District was 1,290, of whom 244 or 19 per cent only attended at the last election. The maximum attendance was 89 in the Katol tahsil out of a total of 407 on the roll. In Katol there was keen competition between nine candidates. Of the three elected one obtained 70 votes, the second 45 votes and the third and fourth 39 each, and choice between the third and fourth was made by lots.

24. In Berar there are no circles. An electoral roll for each taluq is maintained by the Tahsildar who also holds the elections. The registered electors vary in number from about 300 to as many as 2,500 according to the wealth and importance of the taluq. Each voter can vote for as many candidates as there are vacancies but may not record more than one vote for the same candidate. There is one polling officer—the Tahsildar alone, and he completes the polling in a single day. The identification of the voters presents no difficulty as but few voters attend and they are known to the Tahsildar and his staff. The percentage of registered voters who attended the elections in three of the four districts of Berar was as follows :—Amraoti 5·5 per cent; Akola 3·4 per cent; and Buldana 6·57 per cent. Thus in Amraoti District only 490 voters attended, in Akola 250 voters, and in Buldana 389 voters, giving on an average about 70 voters for each Taluq Board election.

Appendix III

No. 389-A.—IV, dated Nagpur, the 21st November 1918.

From—The Hon'ble Mr. F. S. A. Slocock, C.I.E., I.C.S., Chief Secretary to the Chief Commissioner, Central Provinces.

To—The Secretary to the Government of India, Home Department, Delhi.

I am directed to refer to your telegram No. 1324, dated the 3rd September 1918, in which a request was made for recommendations regarding the special treatment under the Reforms Scheme of backward areas in the Central Provinces. An answer to this reference has already been telegraphed on the 8th instant, and I am now to explain more fully the nature of the Chief Commissioner's proposal.

2. Paragraph 199 of the Report on Indian Constitutional Reforms contemplates that selected backward areas will be excluded from the jurisdiction of the reformed provincial Governments and administered by the Head of the Province. But such an arrangement would seem to be quite impracticable. For example, in a Government divided into reserved and transferred sections, the Minister would, it is assumed, have nothing to do with the administration of the transferred departments in the excluded areas, and every "transferred" department would be subject in these areas to the direct control of the Governor. Either the Governor would be compelled in the interests of uniformity to subordinate his individual policy in the excluded areas to that of the reformed administration in the rest of the Province, or else the departments concerned might find themselves compelled to give effect to different policies in the different areas. Similar difficulties would arise, though perhaps to a less degree, whatever shape the reformed administration might take. In fact, the suggestion in paragraph 199 appears to have been put forward with a very vague idea of what it really involved.

3. At the same time, it may be readily admitted that there are areas the inhabitants of which are at present unfit for the political franchise. Such are the areas in which the Local Self-Government Act has not yet been applied. If the people of these tracts have not yet been found fit or have not yet shown any desire to elect their local representatives on local bodies, it is obviously undesirable to force on them the privilege, which they do not desire or for which they are not ready, of electing a representative on the Provincial Legislative Council, of the very existence of which most of them have never heard. At the same time, as explained in the preceding paragraph, such areas must come into the new administrative scheme and might, where they are of sufficient importance, be represented in the new Legislative Council. Such representation should be, at the outset at any rate, by nomination by the Head of the Province. As the areas develop it will be a simple matter to form constituencies and allow them to elect their representatives in the Provincial Council or to amalgamate them with adjoining constituencies.

4. The areas to be thus treated will be—

Firstly.—All the scheduled districts of these Provinces listed in Part VI of the first schedule to the Scheduled Districts Act of 1874;

Secondly.—The 12 Zamindaris of Kanteli, Chandarpur, Padampur, Malkharoda, Bhatgaon, Bilaigarh-Katgi, Parpori, Kūjji, Deori, Suarmar, Narra and Kauria (all in the Chhattisgarh Division);

Thirdly.—The Mandla district (except the Mandla Town);

Fourthly.—The Sironcha tahsil of the Chanda district; and

Fifthly.—The Melghat taluq of the Amraoti district.

Appendix IV

No. $\frac{37^1}{IV}$

Central Provinces Administration

GENERAL ADMINISTRATION DEPARTMENT

FROM

THE HON'BLE MR. F. S. A. SLOCOCK, C.I.E., I.C.S.,
CHIEF SECRETARY TO THE CHIEF COMMISSIONER,
Central Provinces,

TO

ALL DEPUTY COMMISSIONERS AND SETTLEMENT
OFFICERS, BETUL, BHANDARA AND SEONI.

(Copies to Divisional Commissioners and Commissioner of Settlements.)

Nagpur, the 22nd August 1918.

SIR,

I am directed to address you regarding the collection of certain statistics with a view to the classification of the landholding population of your district according to their revenue and rental payments. This information is needed for submission to the Committee shortly to be appointed to consider the formation of electorates for these Provinces under the new Reform Scheme.

2. It is not known at present what will constitute the various qualifications for the new franchise. But presumably, for landholders, the basis will be their revenue and rental payments. It is, therefore, necessary to collect statistics of these payments which will indicate, approximately, how many landholders will be entitled to vote under each of a series of different rent and revenue qualifications. A classified statement of landholders, prepared for each tahsil in Form C appended to this letter, will give this information. The classification only covers revenue and rental payments from Rs. 10 upwards, while payments in excess of Rs. 100 will be entered merely as "more than Rs. 100." This will provide sufficient detail up to the limits within which the choice of the Committee is likely to range. Malik-makbuzas, ryots of ryotwari villages, absolute-occupancy, occupancy and ordinary tenants are all lumped together as one class; while Zamindars, Jagirdars, Inferior Proprietors, Malguzars and Village Thekadars are taken collectively as a separate class, under the general head of "Malguzars."

3. No totals for the district need be given. A classified statement in Form C for each *tahsil* in your district is all that is required. These statements should be sent in to this office by the 15th of October next.

4. In order to compile the information required for Statement C it will be necessary for Patwaris to prepare, for each village in the district, an *Asamiwar* Register in Form A. Detailed instructions are given separately on the back of the Form itself. Here it is only necessary to emphasize the following points:—*Firstly*, in order to secure that each landholder shall appear only once in the village statistics, it is essential to assign all his payments of rent or revenue to his credit in the *particular village where he resides*; or, if he has more than one residence, in the particular village which constitutes his chief residence. It will also be necessary, in entering up his payments of rent and revenue, to record them for one *class* only (*vide* No. X of the Instructions for Form A). *Secondly*, to save labour, it is proposed to omit from the Form all persons who pay less than Rs. 10 as "Malguzar" or less than Rs. 10 as Malik-makbuza, Government Ryot or Tenant. For example, if a landholder pays Rs. 9 as Malguzar and Rs. 9 as Tenant he will be omitted. Again, if his total payment for entry in column 4 or column 5, as the case may

be, is any sum larger than Rs. 100, it will suffice to enter simply "more than Rs. 100" in that column. This will save work in dealing with the bigger landholders.

5. From his *Asamiwar* Register in Form A the Patwari will prepare a classified *Mausawar* Statement for his Circle in Form B.

6. It will be necessary to collect information in Forms A and B as regards landholders resident within Municipal and Notified Areas, in the same way as in the case of residents of ordinary agricultural villages. The collection of this information may present some difficulty, especially in the case of large towns, as a special house-to-house enquiry will be necessary. It should therefore be arranged for, through the Municipal or Notified Area Committee concerned, as soon as possible. The figures for each Municipality or Notified Area will be reported separately in Form C.

7. It is recognized that the statistics now to be collected can, at best, be only approximately correct. The time for collecting them is short and the season unsuitable. At the same time it is believed that, with the personal co-operation and supervision of District Officers, it will be possible to attain a standard of accuracy which will serve all practical purposes.

8. The whole work, which will constitute a sort of census of the landholding population of the Provinces, must be carried through with the greatest expedition possible. But it is not proposed to dictate for every district the actual arrangements required to secure the necessary information. The *modus operandi* must vary according to local circumstances. It is obviously desirable that the information required for Register A should, if possible, be collected by the Patwari *in the village*; and, wherever arrangements can be made to instruct Patwaris adequately before they start the work and to supervise them properly while they are performing it, this is clearly the best method to adopt—more particularly so where agricultural tenures are complex, *pahi* tenants and absentee landlords numerous, and the division between the landlord and the tenant classes undefined. On the other hand, in remote tracts where communications are bad, the Patwari staff unreliable and close supervision impossible, while tenures are simple and non-residence rare, a District Officer may conclude that it will be better to assemble the Patwaris at one or more centres in the tahsil and there compile from the village papers the information required, utilizing the local knowledge of the Patwaris (and, possibly, that of the village Kotwars also) and controlling their work by means of selected officers of intelligence deputed for the purpose.

The Chief Commissioner leaves it to you to gauge the difficulties that will arise and to regulate your employment of the Land Record Staff in the manner best suited to meet them, having regard to the circumstances of your district, the competence of the local Patwari staff, the complexity of the local tenures, and the character of local communications.

9. The following forms are being sent to you by separate post:—

- 30 copies of Form A in English.
- ... copies of Form A in ^{Hindi} ~~Marathi~~.
- 30 copies of Form B in English.
- ... copies of Form B in ^{Hindi} ~~Marathi~~.
- 30 copies of Form C in English.

An additional supply of forms can be obtained on reference to the Chief Secretary.

Forms B and C as supplied to District Officers are large enough to contain all the information to be entered in these statements. The Register in Form A will be prepared in manuscript by the Patwari.

I have the honour to be,

Sir,

Your most obedient Servant,

F. S. A. SLOCOCK,

Chief Secretary.

Enclosures.
Forms A, B and C.

FORM A.

Register of Resident Landholders in Village _____ Tahsil _____

[To be prepared by Patwaris.]

Name and caste of resident of village, who pays either Rs. 10 or over as Malguzar or Rs. 10 or over as Malik-makbuz, Government Ryot or Tenant.	Whether female or under 21 years of age.	If Mahomedan enter "Musalman" in this column.	Total payment in all villages as Malguzar.	Total payment in all villages as Malik-makbuz, Government Ryot or Tenant.	Remarks.
1	2	3	4	5	6

[For instructions see back.]

Appendix IV.

Instructions for Form A.

I.—This Form is to be prepared on the basis of *Residence*. Each Landholder will only be entered in the form of that village which constitutes his chief or sole place of residence. For example, if a tenant's chief residence is in one village, while his cultivation is in three different villages where he also occasionally resides, he will be shown, with all his payments as tenant, *only against the village which forms his chief residence*, even though he has no cultivation there and is not entered in the Patwari's papers of that village.

II.—Only Landholders *recorded* in the Patwari's papers either as Malguzar (see Instruction IV below) or as Malik-makbuza, Government ryot, or tenant (see Instruction VI below) will be entered in the form. If a landholder *resides* in one village, and his name is *recorded* in the Patwari's papers of another village his name will be entered in the Form of the village of which he is a resident. A member of a joint family, whose name is not recorded in the Patwari's papers will be omitted although he may have a share in the joint family property.

III.—Only Landholders paying either a total of Rs. 10 or over as Malguzar (see Instruction IV below) or a total of Rs. 10 or over as Malik-makbuza, Government ryot or tenant (see Instruction VI below) will be entered in column 1 of the Form.

IV.—Under the term Malguzar should be included Zamindar, Jagirdar, Izaradar, Inferior Proprietor, Village Thekadar, whether ordinary or protected, and their *recorded* co-sharers. If any of these pays less than the Kamil-jama by reason of his tenure, the Kamil-jama should be recorded and not the actual assessment. The term Malguzar does not include a mortgagee of proprietary rights.

V.—*Recorded* sharers, whose share in a *village* is assessed at Rs. 10 or over will be shown separately in columns 1, 2 and 3; and so much of the revenue will be entered against the name of each in column 4 as is debitable to his share in the joint property. For example:—Three brothers are recorded as joint sharers in a one-half share of a village assessed at Rs. 200. Each will be entered separately in the Form and Rs. 33-5-4 shown against each in column 4.

VI.—The term Tenant does not include sub-tenant. In the case of Malik-makbuzas, Government ryots and tenants only actual payments need be taken into account. For instance holders of *muafi plots* will be disregarded, though under Instruction IV holders of *muafi villages* will be regarded as paying Kamil-jama.

VII.—Similarly *recorded* sharers whose share in a *holding* is assessed at Rs. 10 or over will be entered separately in columns 1, 2 and 3, and so much of the assessment will be entered against the name of each in column 5 as is debitable to his share in the joint property. For example:—If two brothers both of major age are recorded in the Patwari's papers as joint holders of a holding on Rs. 50 rent, each will be shown in column 5 as paying Rs. 25. If one of them is a minor his name will appear in columns 1 and 2 only, and no entry will be made in column 5 against his name. If three persons are recorded in the Patwari's papers as the joint holders of a holding on Rs. 27 rent, the payment of each will only be Rs. 9, and therefore none of them will be entered in the Form.

VIII.—If a Landholder entered in column 1 of the Form is less than 21 years of age or is a female, he or she will be shown in columns 1 and 2 only. Columns 3 to 5 will be left blank.

IX.—If the total payment in either column 4 or column 5 is known to be over Rs. 100 exact figures need not be given for that column. It will suffice to enter "More than Rs. 100."

X.—If a Landholder pays Rs. 10 or over as Malguzar and also Rs. 10 or over as Malik-makbuza, Government ryot or tenant, both payments must not be shown. Only the larger payment will be entered either in column 4 or column 5, as the case may be. For example, a Landholder pays Rs. 80 as rent in his own right as a Tenant, and holds a half share jointly with his brother in a village assessed at Rs. 150. As his separate assessment as Malguzar is less than his individual payment as Tenant, he will be shown as paying Rs. 80 in column 5 only, and column 4 will be left blank. Again, a Landholder pays the same amount as Tenant as he pays as Malguzar, or pays Rs. 100 or more as Tenant and Rs. 100 or more as Malguzar, but it is not known whether his assessment as Tenant or as Malguzar is the greater. In both these cases enter his payment as Malguzar in column 4 and leave column 5 blank. *In no case should the same individual's payments be entered both in column 4 and in column 5.*

FORM B.

Classified Statement of Landholders in Patwari Circle No. Tahsil

[To be prepared by Patwaris.]

Village.	Number of Malgusars (Column 4 of Register A) who pay							Number of Malik-makbuzas, Government Ryots or Tenants (Column 6 of Form A) who pay							Remarks.
	Rs. 10 to Rs. 19-15-11.	Rs. 20 to Rs. 29-15-11.	Rs. 30 to Rs. 39-15-11.	Rs. 40 to Rs. 49-15-11.	Rs. 50 to Rs. 74-15-11.	Rs. 75 to Rs. 99-15-11.	Rs. 100 or more.	Rs. 10 to Rs. 19-15-11.	Rs. 20 to Rs. 29-15-11.	Rs. 30 to Rs. 39-15-11.	Rs. 40 to Rs. 49-15-11.	Rs. 50 to Rs. 74-15-11.	Rs. 75 to Rs. 99-15-11.	Rs. 100 or more.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16
Grand Total															
Total Mahomedans															

[For instructions see back.]

Appendix IV.

Instructions for Form B.

I.—This statement will be prepared for his Circle by each Patwari from Register A.

II.—The terms Malguzar and Ténant have the same meaning as in Form A.

III.—Against each village, enter—

- (1) the classification of *all* Landholders (including Mahomedans) distributing them between columns 2 to 15 according to their payments shown in column 4 or column 5 of Register A ;
- (2) below these figures in red ink, the corresponding classification of *Mahomedan* Landholders only.

Appendix IV.
CONSPECTUS of Statistics in Statements II and III.

District.	Page of statement.	Total population.	Male population.							Male literate adults.	Paying a malg			
			Hindus.	Musalmans.	Animists.	Christians.	Other creeds.	Total.	Rs. 10 or more.		Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	
														4	5	6	7	8	9	10	11	12	13	14
Jubbulpore	2-3	623,997	252,361	7,699	43,911	93	2,281	308,345	18,082	2,715	2,311	1,974	1,706	
Dabhoh	6-7	316,005	145,267	4,228	5,449	23	3,361	159,328	10,418	2,124	1,699	1,356	1,128	
Saugor	10-11	482,895	217,915	7,590	12,077	449	7,553	245,584	10,838	3,169	2,480	2,040	1,744	
Seoni	14-15	381,642	101,276	6,998	76,969	41	618	185,902	6,736	1,583	1,438	1,273	1,125	
Mandla	18-19	395,855	74,153	2,765	148,517	425	372	196,232	5,524	680	664	520	418	
Total Jubbulpore Division		2,200,394	791,972	29,280	256,923	1,031	14,186	1,093,391	51,598	10,471	8,592	7,189	6,116	
Raipur	22-23	1,279,061	530,798	5,077	84,604	1,167	32	621,978	14,815	4,101	3,622	3,225	2,895	
Bilaspur	26-27	1,126,373	516,618	5,639	25,414	589	34	548,494	13,462	5,238	4,225	3,519	3,021	
Drug	30-31	768,640	321,321	3,064	44,084	654	47	369,570	10,278	4,209	3,566	3,066	2,706	
Total Chhattisgarh Division		3,174,074	1,368,737	13,780	154,102	2,410	1,018	1,540,042	38,555	13,548	11,418	9,810	8,622	
Hoshangabad	34-35	433,161	184,589	7,704	24,103	572	810	217,778	18,009	1,350	1,282	1,202	1,166	
Nimar	38-39	346,690	160,673	11,068	3,429	1,647	813	177,630	11,548	1,849	1,643	1,446	1,251	
Narsinghpur	42-43	306,928	131,470	4,440	15,572	78	791	152,351	10,851	1,491	1,368	1,227	1,127	
Chhindwara	46-47	491,576	144,174	6,598	91,362	176	835	243,145	9,151	2,699	2,124	1,707	1,403	
Betul	50-51	382,932	127,066	3,589	58,742	232	695	190,324	7,490	978	837	713	637	
Total Nerbudda Division		1,861,287	747,972	23,399	193,208	2,705	3,044	981,228	57,049	8,887	7,854	6,295	5,584	
Nagpur	54-55	638,732	293,254	7,992	17,025	274	1,074	319,619	17,086	2,103	1,918	1,728	1,574	
Wardha	58-59	411,369	176,493	6,387	22,960	15	795	206,650	15,183	2,167	1,809	1,567	1,390	
Chanda	62-63	651,504	258,080	4,922	60,876	162	207	324,267	10,648	1,531	1,211	986	819	
Bhandara	66-67	751,663	327,574	6,357	34,625	204	307	369,067	15,355	2,426	1,983	1,703	1,484	
Balaghat	70-71	381,520	149,570	3,411	40,405	156	262	186,804	7,327	1,799	1,628	1,475	1,333	
Total Nagpur Division		2,834,788	1,197,971	29,089	176,891	811	2,846	1,208,407	66,899	10,028	8,542	7,459	6,800	
Total for the Central Provinces.		10,170,543	4,106,652	106,548	780,124	6,957	21,787	5,021,068	213,101	42,413	36,801	30,727	26,922	
Amraoti	74-75	821,385	356,259	31,176	328	640	2,530	418,708	27,851	77	74	67	64	
Akola	78-79	723,638	335,840	27,776	28,103	118	2,196	366,258	22,037	87	80	74	67	
Buldana	82-83	630,886	291,077	23,534	201	59	1,973	316,844	19,974	24	24	21	21	
Yeotmal	86-87	709,688	302,400	19,813	34,098	96	1,670	358,077	14,206	358	345	333	316	
Total Berar Division		2,885,597	1,286,576	102,299	62,730	913	6,369	1,459,887	84,088	546	523	495	468	
Total for the Central Provinces and Berar.		13,056,140	5,399,228	207,847	842,854	7,870	30,156	6,480,955	297,189	42,958	36,324	31,222	27,390	
Average for 22 Districts		598,461	245,101	9,448	38,311	358	1,371	294,589	13,508	1,953	1,651	1,419	1,245	

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing distribution of Male population in Jubbulpore District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.					Remarks.	
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Anti-mists.	Musalmans.	Christians.	Other creeds.		Total.
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastorals.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
373,123	240,047	195,601	1,335	93,516	53,041	6,489	4,079	158,460	33,918	13,379	4,355	6,153	23,782	81,587	22,448	223	3,335	3,374	1,584	30,964	Total population Male and Female of Jubbulpore District is 745,892.
Percentage on column 1.	64%	53%	...	25%	14%	2%	1%	42%	9%	3%	1%	2%	6%	22%	6%	...	1%	1%	...	8%	

Appendix IV

Note:—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for the separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of the Male population of the Tahsils of the Jubbulpore District according to Religion and Literacy.

	Total population of all creeds.	Musalmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
1	2	3	4	5	6	7	8	9
Jubbulpore Tahsil.								
Municipality and Cantonment of Jubbulpore ...	56,035	12,827	37,334	118	4,349	1,407	12,882	
Other villages ...	79,911	1,847	57,455	19,927	42	640	2,947	
Total ...	135,946	14,674	94,789	20,045	4,391	2,047	15,829	
Murwara Tahsil.								
Municipality of Murwara ...	8,173	1,185	6,663	71	105	149	Not given.	
Other villages ...	80,277	1,808	64,273	13,911	20	265	Ditto.	
Total ...	88,450	2,993	70,936	13,982	125	414	3,727	
Sihora Tahsil.								
Municipality of Sihora ...	2,620	406	2,126	13	7	68	Not given.	
Other villages ...	97,634	2,495	85,397	8,282	8	452	Ditto.	
Total ...	100,254	2,901	87,523	8,295	15	520	5,958	
Patan Tahsil.								
Villages of Patan Tahsil*	48,523	1,549	44,236	1,791	23	924	2,469	No Municipality.
District Total ...	373,173	22,117	298,484	44,113	4,554	2,905	30,964	

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.—Showing distribution of Male Adult population according to Property in the Tahsils of the Jubbulpore District.

	Agriculturists.														Non-agriculturists.								Remarks.
	Paying as malgoser.							Paying as tenant or plot-holder.							With annual income of.				Paying annual house-rent of				
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22		23	24
Jubbulpore Tahsil.																							
Municipality and Cantonment of Jubbulpore.	278	267	254	245	229	207	199	373	239	169	125	102	56	30	1,178	886	702	274	7,036	4,180	2,424	1,614	Figures for columns 16—18 are wanting for Jubbulpore Cantonment. In Jubbulpore Municipality 1,300 voters are qualified as paying Rs. 6 or more in taxes, 147 as paying Rs. 50 or more in octroi and 101 as graduates.
Other villages	438	377	316	270	251	197	161	5,658	2,704	1,654	1,185	832	444	264	151	79	55	40	Not available.				
Total	716	644	570	515	480	404	360	6,031	3,033	1,823	1,310	934	500	294	1,329	965	758	314	7,036	4,180	2,424	1,614	
Murwara Tahsil.																							
Municipality of Murwara	38	38	33	30	27	23	19	97	30	14	7	5	1	1	1,747	539	330	248	1,295	610	238	173	In Murwara Municipality 436 voters are qualified as paying Rs. 2 or more in Haisiyat tax.
Other villages	672	541	461	406	353	283	225	6,326	2,410	1,069	548	325	110	41	169	82	50	46	Not available.				
Total	710	579	494	436	380	306	244	6,423	2,440	1,083	555	320	111	42	1,916	621	380	294	1,295	610	238	173	
Sihora Tahsil.																							
Municipality of Sihora	16	16	16	15	14	14	13	166	102	75	46	28	17	8	132	105	73	46	176	142	65	21	In Sihora Municipality 111 voters are qualified as paying Rs. 2 or more in Haisiyat tax.
Other villages	1,029	868	722	596	540	410	346	9,566	4,742	2,687	1,727	1,190	516	267	162	109	83	70	Not available.				
Total	1,045	884	738	611	554	424	359	9,732	4,844	2,762	1,773	1,218	533	275	294	214	156	116	176	142	65	21	
Patan Tahsil.																							
All villages of Patan Tahsil	576	525	475	434	391	320	257	6,032	3,002	2,727	2,016	1,526	867	558	149	49	49	49	Not available.				No Municipality.
District Total	3,047	2,682	2,277	1,986	1,805	1,454	1,220	26,216	14,219	8,895	5,654	4,008	2,011	1,169	3,788	1,849	1,243	778	6,507	4,022	2,727	1,808	

* These figures include income from both agricultural and non-agricultural sources.

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Jubbulpore District.

1	Agriculturists.														Non-agriculturists.								24	
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of				Paying annual house-rent of					
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.		
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23		
Jubbulpore Tahsil.																								
Municipality of Jubbulpore and Cantonment.	32	47	41	35	29	21	21	28	17	15	12	12	7	5	146	90	68	48	1,753	963	489	286	In Jubbulpore Municipality 201 voters are qualified as paying Rs. 6 or more in taxes, 54 as paying Rs. 50 or more in octroi, and 4 as graduates.	
Other villages	3	2	2	2	2	2	2	101	48	29	15	11	7	5	5	...	...	...	...	Not available.			
Total	35	49	43	37	31	23	23	129	65	44	27	23	14	10	151	90	68	48	1,753	963	489	286		
Murwara Tahsil.																								
Municipality of Murwara	...	...	...	...	...	...	...	10	3	2	1	1	...	...	64	35	23	4	201	89	28	19	In Murwara Municipality 57 voters are qualified as paying Rs. 2 or more in Haisiyat tax.
Other villages	12	12	11	11	10	9	6	89	35	10	2	1	...	...	5	3	1	1	...	Not available.			
Total	12	12	11	11	10	9	6	99	38	12	3	2	...	...	69	38	24	5	201	89	28	19	
Sihora Tahsil.																								
Municipality of Sihora	2	2	2	2	2	2	2	10	2	2	1	...	...	...	11	6	6	3	19	18	7	...	In Sihora Municipality 12 voters are qualified as paying Rs. 2 or more in Haisiyat tax.
Other villages	83	30	29	24	24	20	17	195	91	48	34	25	15	9	14	11	6	3	...	Not available.				
Total	85	32	31	26	26	22	19	205	93	50	35	25	15	9	25	17	12	6	19	18	7	...		
Patan Tahsil.																								
All villages	10	10	10	10	10	6	6	82	44	29	22	15	6	3	12	1	1	1	...	Not available.				No Municipality.
District Total	112	109	95	84	77	60	54	515	240	135	87	65	35	22	257	146	105	54	1,973	1,070	524	305		

STATEMENT I.—Showing distribution of Male population in Damoh District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.					Remarks.	
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.		Total.
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastorals.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
168,060	106,500	86,825	795	43,456	24,785	4,525	2,465	76,026	17,288	4,438	2,436	1,869	4,452	30,483	8,386	31	740	...	1,261	10,418	
Percentage on column 1.	63%	52%	...	26%	15%	3%	1%	45%	10%	3%	1%	1%	2%	11%	5%	...	...	...	1%	6%	

NOTE.—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of Male population according to Religion and Literacy in the Tahsils of the Damoh District.

	Total population of all creeds.	Musalman.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
1	2	3	4	5	6	7	8	9
Damoh Tahsil.								
Municipality of Damoh	8,732	1,452	6,606	12	314	348	Not given.	
Other villages	97,595	2,379	88,196	4,426	14	2,496	5,418	
Total ...	106,327	3,831	94,796	4,438	328	2,844	5,418	
Hatta Tahsil.								
All villages of the Hatta Tahsil	61,823	1,849	58,077	1,023	9	865	3,739	No Municipality.
District Total ...	168,080	5,680	152,873	5,461	337	3,709	10,418	

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the Tahsils of the Damoh District.

	Agriculturists,														Non-agriculturists,				Remarks.					
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of							
	Rs. 10 or more.	Bs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Bs. 50 or more.	Rs. 75 or more.	Bs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Damoh Tahsil.																								
Municipality of Damoh	77	73	73	71	71	65	64	142	77	47	24	18	11	7	857	449	324	101	1,673	843	335	171	In Damoh Municipality - 569 voters are qualified by payment of Rs. 2 or more as <i>Haisiyat</i> tax.	
Other villages	1,204	967	770	622	534	377	290	7,897	4,198	2,552	1,643	9,134	537	286	343	Not given.	166			Not given.				
Total	1,281	1,040	843	693	605	442	354	8,039	4,275	2,599	1,667	1,152	548	293	1,200	449	324	267	1,673	843	335	171		
Hatta Tahsil.																								
All villages	920	732	586	501	427	312	253	5,899	3,381	2,056	1,325	859	362	149	201	Not given.	43			Not given.				No Municipality.
District Total	2,201	1,772	1,429	1,194	1,032	754	607	13,938	7,656	4,655	3,092	2,011	910	442	1,401	449	324	310	1,673	843	335	171		

*These figures are based on agricultural and non-agricultural income combined.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Damoh District.

	Agriculturists.														Non-agriculturists.				Remarks.					
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of							
	Rs. 10 or more.	Rs. 40 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Damoh Tahsil.																								
Municipality of Damoh	2	2	2	2	2	2	2	18	10	8	8	7	6	3	*134	*79	*59	13	265	128	53	30	In Damoh Municipality 79 voters are qualified by payment of Rs. 2 or more as <i>Haisiyat</i> tax.	
Other villages	1	1	1	1	1	1	1	86	42	29	20	11	9	2	11	Not given.	10	Not given.						
Total	3	3	3	3	3	3	3	104	52	37	28	18	15	5	145	79	59	23	265	128	53	30		
Hatta Tahsil.																								
All villages	6	6	5	4	4	3	1	88	42	23	16	11	6	4	4	Not given.	1	Not given.						No Municipality.
District Total	9	9	8	7	7	6	4	192	94	60	44	29	21	9	149	79	59	24	265	128	53	30		

* These figures are based on agricultural and non-agricultural income combined.

STATEMENT I.—Showing distribution of Male population in Saugor District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.						Remarks.
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.	Total.	
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field-labourers.	Pastorals.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
276,233	180,008	146,851	877	69,195	42,649	6,967	3,050	122,738	29,345	9,221	3,798	3,469	11,444	57,270	12,666	12	1,792	345	3,091	17,906	
	65%	53%	...	25%	15%	3%	1%	44%	12%	3%	1%	1%	4%	20%	5%		1%	...	1%	7%	

NOTE.—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of Male population according to Religion and Literacy in the Tahsils of the Saugor District.

	Total population of all creeds.	Musulmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
1	2	3	4	5	6	7	8	9
Saugor Tahsil.								
Municipality of Saugor and Cantonment	24,330	5,054	17,677	6	312	1,281	4,410	
Other villages	73,350	2,315	68,641	143	199	2,052	2,894	
Total	97,680	7,369	86,318	149	511	3,333	7,304	
Khurai Tahsil.								
Municipality of Khurai	3,437	660	2,472	...	14	291	Not given.	
Other villages	53,486	2,006	49,398	110	233	1,739	3,193	
Total	56,923	2,666	51,870	110	247	2,030	3,193	
Rehli Tahsil.								
Municipality of Deori	2,882	328	2,292	71	2	189	Not given.	
Other villages	77,012	2,422	60,940	11,534	17	2,099	3,112	
Total	79,894	2,750	63,232	11,605	19	2,288	3,112	
Banda Tahsil.								
All villages of Banda Tahsil	41,736	847	38,936	290	...	1,663	1,669	No Municipality.
District Total	276,232	12,632	240,356	12,154	777	9,214	17,906	

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the Tahsils of the Saugor District.

1	Agriculturists.														Non-agriculturists.								24	
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of				Paying annual house-rent of					
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 15 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.		
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		
Saugor Tahsil.																								
Municipality of Saugor and Cantonment.	115	114	112	112	112	106	105	455	327	247	204	169	105	72	566	275	181	166	1,815	1,091	577	286	In Saugor Municipality 351 voters are qualified by an annual income of Rs. 120 or more and 2,047 voters are qualified by possession of property of an annual letting value of Rs. 50 or more.	
Other villages	814	707	619	570	528	425	380	9,161	5,502	3,358	2,180	1,451	609	293	474	203	140	100		Not available.				
Total	929	821	731	682	640	531	485	9,616	5,828	3,665	2,384	1,620	714	365	1,040	478	321	266	1,815	1,091	577	286		
Khurai Tahsil.																								
Municipality of Khurai	28	28	26	25	22	17	17	104	72	52	40	24	9	7	219	109	73	27	402	197	102	60	In Khurai Municipality 218 voters are qualified by payment of Rs. 2 or more as <i>Haisiyat</i> tax.	
Other villages	958	694	512	402	326	230	160	6,121	3,107	1,687	944	536	189	72	828	383	239	63		Not available.				
Total	986	722	538	427	348	247	177	6,225	3,179	1,739	984	560	198	79	1,047	492	312	90	402	197	102	60		
Rehli Tahsil.																								
Municipality of Deori	39	39	37	36	35	30	24	156	92	56	31	26	13	8	*256	*121	*62	8	646	225	109	67	In Deori Municipality 248 voters are qualified by payment of Rs. 2 or more as <i>Haisiyat</i> tax.	
Other villages	761	633	566	507	453	374	290	7,687	4,422	2,679	1,763	1,225	569	291	300	176	110	72		Not available.				
Total	800	672	603	543	488	404	314	7,843	4,514	2,735	1,794	1,251	582	299	556	297	172	80	646	225	109	67		
Banda Tahsil.																								
All villages of Banda Tahsil	636	446	343	265	217	154	113	3,474	1,521	724	403	241	97	45	250	133	84	58		Not available.			No Municipality.	
District Total	3,361	2,661	2,218	1,917	1,668	1,388	1,088	27,160	15,042	8,805	5,868	3,672	1,561	788	2,898	1,400	889	494	2,868	1,513	728	413		

* These figures are based on agricultural and non-agricultural income combined.

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Saugor District.

1	Agriculturists.														Non-agriculturists.								Remarks.	
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of				Paying annual house-rent of					
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.		
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23		24
Saugor Tahsil.																								
Municipality of Saugor and Cantonment.	6	6	6	6	6	6	6	29	27	23	19	15	11	8	87	43	34	27	283	145	54	33	In Saugor Municipality 17 voters are qualified by an annual income of Rs. 120 or more and 330 voters are qualified by possession of property of an annual letting value of Rs. 50 or more.	
Other villages	21	21	20	17	15	10	9	109	83	51	31	15	2	...	11	7	4	4	Not available.					
Total	27	27	26	23	21	16	15	168	110	74	50	30	13	8	98	50	38	31	283	145	54	33		
Khurai Tahsil.																								
Municipality of Khurai	2	2	2	2	2	2	2	12	8	4	3	2	1	1	35	14	9	2	70	30	13	2	In Khurai Municipality 34 voters are qualified by payment of Rs. 2 or more as Haisiyat tax.	
Other villages	5	2	1	...	...	...	...	93	46	28	16	12	3	1	90	22	10	1	Not available.				
Total	7	4	3	2	2	2	2	105	54	32	19	14	4	2	125	36	19	3	70	30	13	2		
Rehli Tahsil.																								
Municipality of Deori	...	...	...	...	...	...	...	8	5	4	1	1	1	1	19	5	1	...	34	4	2	1	In Deori Municipality 19 voters are qualified by payment of Rs. 2 or more as Haisiyat tax.
Other villages	12	12	12	11	11	11	6	65	33	25	16	14	1	1	300	176	110	72	Not available.					
Total	12	12	12	11	11	11	6	73	38	29	17	15	2	2	319	181	111	72	34	4	2	1		
Banda Tahsil.																								
All villages of Banda Tahsil	14	9	7	5	2	...	...	41	22	9	6	5	...	...	11	6	4	...	Not available.				No Municipality.
District Total	60	52	48	41	36	29	23	367	224	144	92	64	19	12	553	273	173	108	367	179	69	36		

* These figures are based on agricultural and non-agricultural income combined.

STATEMENT I.—Showing distribution of Male population in the Seoni District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.						Remarks.
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.	Total.	
			Landlords and rent-receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastorals.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
192,642	129,387	102,047	270	61,348	38,394	5,581	837	106,430	11,571	3,769	1,929	606	5,082	22,957	5,526	246	964	...	384	7,120	
<i>Percentage on column 1.</i>	66%	53%	...	32%	20%	3%	...	55%	6%	3%	1%	...	3%	12%	3%	...	1%	...	...	...	4%

Note.—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for the separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of Male population according to Religion and Literacy in the Tahsils of the Seoni District.

	Total population of all creeds.	Muslimans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
1	2	3	4	5	6	7	8	9
Seoni Tahsil.								
Municipality of Seoni	6,740	1,385	4,475	347	59	274	Not given	
Other villages	102,409	3,445	68,599	36,169	27	169	4,461	
Total	109,149	5,030	67,074	36,516	86	443	4,461	
Lakhnadon Tahsil.								
All villages of Lakhnadon Tahsil*	83,493	3,553	38,677	40,800	14	449	2,275	No Municipality.
District Total	192,642	8,583	105,751	77,316	100	892	7,120	

* In 1913, 36 villages were transferred from the Lakhnadon to the Seoni Tahsil. This affects the relation between the figures in Statements III and IV to those of this statement.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the Tahsils of the Seoni District.

	Agriculturists.														Non-agriculturists.				Remarks.				
	Paying as talgusan							Paying as tenant or plot-holder							With annual income of		Paying annual house-rent of						
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Seoni Tahsil.																							
Municipality of Seoni	57	54	54	54	51	48	44	140	81	52	32	24	11	5	290	156	109	97	1,501	864	388	190	In Seoni Municipality 958 voters are qualified by possession of property of an annual letting value of Rs. 50 or more.
Other villages	852	784	754	644	606	493	401	11,162	5,923	2,765	1,694	1,059	409	190	415	134	78	74	Not given.				
Total	909	838	808	698	657	541	445	11,303	5,104	2,817	1,726	1,083	420	195	705	290	187	172	1,501	864	388	190	
Lakhnadon Tahsil.																							
All villages	731	654	559	481	432	313	231	7,171	2,750	1,303	680	410	145	64	278	Not given.		114	Not given.				No Municipality.
District Total	1,640	1,492	1,367	1,179	1,089	854	676	18,474	7,854	4,120	2,406	1,493	865	259	983	280	187	286	1,501	864	388	190	

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Seoni District.

1	Agriculturists.														Non-agriculturists.				Remarks.					
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of							
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	*19		20	21	22	23	24
Seoni Tahsil.																								
Municipality of Seoni	9	8	8	8	8	7	7	21	10	8	5	3	1	1	40	13	6	3	341	168	49	20	In Seoni Municipality 150 Voters qualified by possessing property of an annual letting value of Rs. 50 or more.	
Other villages	74	69	68	68	66	54	52	376	195	111	75	45	23	14	13	8	7	7					Not given.	
Total	83	77	76	76	74	61	59	397	205	119	80	48	24	15	53	21	13	10	341	168	49	20		
Lakhnadon Tahsil.																								
All villages	59	51	43	34	31	20	18	258	111	59	29	18	7	4	17	Not given		3					Not given.	No Municipality.
District Total	142	128	119	110	105	81	77	655	316	178	109	66	31	19	70	21	13	13	341	168	49	20		

STATEMENT I.—Showing distribution of Male population in Mandla District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2												Literate male adults.						Remarks.
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musl-mans.	Chris-tians.	Other creeds.	Total.	
			Land-lords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastorals.	Miscellaneous.	Total.	Indus-tries.	Trade.	Profes-sions and liberal arts.	Domes-tic service.	Miscel-laneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
200,872	128,784	103,005	378	76,457	24,483	5,787	1,045	108,150	8,140	4,107	1,487	511	6,389	20,634	4,547	286	Not given.		995	5,828	
<i>Percentage on column 1.</i>	64%	51%	...	38%	12%	3%	...	54%	4%	2%	1%	...	3%	10%	2%	...	...	...	1%	3%	

NOTE.—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of the Male population according to Religion and Literacy in the Tahsils of the Mandla District.

	Total population of all creeds.	Musulmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
1	2	3	4	5	6	7	8	9
Mandla Tahsil.								
Municipality of Mandla	4,640	564	3,833	139	66	38	Not given.	
Other villages	105,360	1,770	46,420	56,478	376	316	8,854	
Total	110,000	2,334	50,253	56,617	442	354	3,854	
Dindori Tahsil.								
All villages of the Dindori Tahsil	90,872	995	27,733	62,039	49	56	1,678	No Municipality.
Newas Tahsil.*								
All villages of Niwas Tahsil*	This Tahsil was formed after last Census.							
District Total	200,872	3,329	77,986	118,656	491	410	5,532	

* This Tahsil was formed in 1915 out of the Mandla and Dindori Tahsils. This affects the relation between the figures in Statements III and IV and those in this Statement.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918.)

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the Tahsils of the Mandla District.

1	Agriculturists.														Non-agriculturists.				24				
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of						
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Mandla Tahsil.																							
Municipality of Mandla	60	36	55	50	49	46	46	141	67	44	27	16	5	2	*356	*179	*115	36	1,122	531	195	80	In Mandla Municipality 828 voters are qualified by payment of minimum <i>Haiyat</i> tax of Rs. 1 on an income of Rs. 120.
Other villages	314	271	240	213	178	139	118	5,724	2,130	965	479	236	74	23		Not given	103			Not given			
Total	374	329	295	263	227	185	164	5,865	2,197	1,009	506	252	83	25	356	179	115	174	1,122	531	195	80	
Dindori Tahsil.																							
All villages	303	220	162	124	98	69	48	3,566	998	325	129	51	6			Not given	41			Not given			No Municipality.
Niwās Tahsil.																							
All villages	263	173	118	81	61	40	29	2,289	467	149	64	36	3	1		Not given	12			Not given			No Municipality.
District Total	940	723	576	468	388	294	241	11,720	3,662	1,683	699	396	92	26	366	179	115	187	1,122	881	195	80	

* These figures are based on agricultural and non-agricultural income combined.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Mandla District.

1	Agriculturists.														Non-agriculturists.				Remarks.					
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of							
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		
Mandla Tahsil.																								
Municipality of Mandla	2	1	1	1	1	1	1	3	3	3	2	1	...	...	39	15	11	4	140	64	30	10	In Mandla Municipality 106 voters are qualified by payment of minimum <i>Hastyat</i> tax of Re. 1 on an income of Rs. 120.
Other villages	12	11	11	9	6	6	4	37	18	9	5	4	...	...	Not given.		3	Not given.					
Total	14	12	12	10	7	7	5	40	21	12	7	5	...	...	39	15	11	7	140	64	30	10	
Dindori Tahsil.																								
All villages	16	15	8	7	6	5	2	28	11	3	1	...	...	...	Not given.		6	Not given.				No Municipality.	
Niwas Tahsil.																								
All villages	9	7	6	4	3	1	1	25	11	1	4	Not given.				No Municipality.
District Total	39	34	28	21	16	13	8	69	43	16	8	5	...	...	89	15	11	18	140	64	30	10	

*These figures are based on agricultural and non-agricultural income combined.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing the distribution of Male population in Raipur District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.						Remarks.
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Ani- mists.	Musal- mans.	Chris- tians.	Other creeds.	Total.	
			Land- lords and rent receiv- ers.	Ordinary culti- vators.	Farm servants and field labour- ers.	Pasto- rals.	Miscel- laneous.	Total.	Indus- tries.	Trade.	Profes- sions and liberal arts.	Domes- tic service.	Miscel- laneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
645,186	420,260	337,118	1,166	228,313	103,473	21,404	4,795	359,151	27,590	8,301	5,355	3,296	16,567	61,109	15,674	486	2,119	358	363	19,000	
Percentage on column 1.	65%	52%	...	35%	16%	3%	...	56%	4%	1%	...	...	3%	9%	2%	...	...	...	...	2%	

NOTE.—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of Male population according to Religion and Literacy in the Tahsils of the Raipur District.

	Total population of all creeds.	Musulmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.	
1	2	3	4	5	6	7	8	9	
Raipur Tahsil.									
Municipality of Raipur ...	18,038	2,962	14,421	127	278	250	3,709		
Other villages ...	104,909	917	99,464	4,278	187	63	2,793		
Total ...	122,947	3,879	113,885	4,405	465	313	6,502		
Dhamtari Tahsil.									
Municipality of Dhamtari ...	5,170	354	4,159	375	192	90	Not given.		
Other villages ...	100,249	665	77,636	21,817	79	52	3,701		
Total ...	105,419	1,019	81,795	22,192	271	142	3,701		
Baloda Bazar Tahsil.									
All villages of Baloda Bazar Tehsil	{ Khalsa ...	138,569	1,162	136,154	532	630	91	3,175	No Municipality.
	{ Zamindaris ...	25,788	214	25,410	152	12	562		
	Total ...	164,357	1,376	161,564	684	642	91	3,737	
Mahasamund Tahsil.									
All villages of Mahasamund Tahsil	{ Khalsa ...	49,672	608	40,413	8,590	15	46	1,501	No Municipality.
	{ Zamindaris ...	202,791	1,511	151,721	49,235	244	80	3,083	
	Total ...	252,463	2,119	192,134	57,825	259	126	4,584	
District Total ...	645,186	8,393	549,378	85,106	1,697	672	18,000		

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918.)

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the Tahsils of the Raipur District.

	Agriculturists.														Non-agriculturists.								Remarks.	
	Paying as malguzer.							Paying as tenant or plot-holder.							With annual income of				Paying annual house-rent of					
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Raipur Tahsil.																								
Municipality of Raipur	196	188	186	185	179	173	169	37	16	7	6	5	1	...	548	428	360	137	4,929	2,489	1,155	646	In Raipur Municipality 1,138 voters are qualified by payment of Municipal-taxes of Rs. 4 or more.	
Other villages	864	784	707	633	570	462	354	7,916	2,361	883	395	198	42	15	314	Not given.	76	Not given.	Not given.	Not given.	Not given.	Not given.		Not given.
Total	1,060	972	893	818	749	635	323	7,653	2,377	890	401	203	43	15	862	428	360	213	4,929	2,489	1,155	646		
Dhamtari Tahsil.																								
Municipality of Dhamtari	106	105	104	104	102	95	85	84	40	20	15	8	1	...	257	151	115	26	56	41	29	19	In Dhamtari Municipality 301 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 92 voters are qualified by an annual income of Rs. 120 or more.	
Other villages.	542	466	404	364	321	255	217	6,313	2,139	865	423	226	52	9	114	93	85	79	Not given.	Not given.	Not given.	Not given.		
Total	648	571	508	468	423	350	302	6,397	2,179	885	438	234	53	9	371	244	200	105	56	41	29	19		
Baloda Bazar Tahsil.																								
All villages of Baloda Bazar Tahsil.	1,221	970	795	688	607	437	370	8,760	2,362	872	379	183	43	5	383	179	149	134	Not given.	Not given.	Not given.	Not given.	No Municipality.	
Mahasamund Tahsil.																								
All villages of Mahasamund Tahsil.	1,368	1,297	1,215	1,106	990	774	587	7,305	1,785	628	259	118	29	7	255	Not given.	244	Not given.	Not given.	Not given.	Not given.	Not given.	No Municipality.	
District Total	4,297	3,810	3,411	3,080	2,769	2,196	1,782	30,418	8,708	3,276	1,477	788	168	86	1,871	651	709	696	4,985	2,820	1,184	668		

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Raipur District.

1	Agriculturists.														Non-agriculturists.				Remarks.	24				
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of							
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.			Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23			
Raipur Tahsil.																								
Municipality of Raipur	23	19	19	19	18	18	15	4	4	3	3	3	...	...	90	78	71	30	942	565	249	127	In Raipur Municipality 239 voters are qualified by payment of Municipal taxes of Rs. 4 or more.	
Other villages	18	18	16	16	16	11	6	46	21	11	4	4	1	...	11	Not given.	2			Not given.				
Total	41	37	35	35	34	29	21	50	25	14	7	7	1	...	101	78	71	32	942	565	249	127		
Dhantari Tahsil.																								
Municipality of Dhantari	3	3	2	2	2	1	...	17	15	7	2	...	...	...	80	39	35	7	25	17	10	7	In Dhantari Municipality 59 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 12 voters are qualified by an annual income of Rs. 120 or more.	
Other villages	11	10	8	8	6	3	3	26	8	3	1	...	...	7	5	5	5			Not given.				
Total	14	13	10	10	8	4	3	43	23	10	3	...	...	87	44	40	12	25	17	10	7			
Baloda Bazar Tahsil.																								
All villages	14	11	11	9	7	7	6	55	16	7	5	3	1	...	31	14	10	10		Not given.			No Municipality.	
Mahasamund Tahsil.																								
All villages	14	14	14	14	14	12	9	69	20	15	5	2	1	...	36	Not given.	35			Not given.			No Municipality.	
District Total	89	78	70	68	63	52	39	217	84	40	20	12	3	...	255	130	121	89	987	582	259	134		

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.— Showing the distribution of Male population in the Bilaspur District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.						Remarks.
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.	Total.	
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Peasants.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
558,477	351,371	285,189	814	235,220	37,807	13,462	1,962	309,263	17,076	6,102	4,138	2,129	11,761	49,106	13,714	69	1,334	..	378	15,518	
Percentage on column 1.	63%	51%	...	42%	10%	2%	...	55%	3%	1%	1%	...	2%	8%	2%	...	1%	...	...	3%	

NOTE.— The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of the Male population according to Religion and Literacy in the Tahsils of the Bilaspur District.

	Total population of all creeds.	Muslimans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
1	2	3	4	5	6	7	8	9
Bilaspur District.								
Municipality of Bilaspur ...	9,983	1,410	8,106	41	382	44	1,839	
Other villages ...	121,186	1,352	107,677	12,002	132	23	2,875	
{ Khalsa ...	64,615	779	53,795	9,928	87	26	1,281	
{ Zamindari ...	56,571	573	53,982	2,074	45	7	1,594	
Total ...	195,784	3,541	169,578	21,971	601	93	5,995	
Janjgir Tahsil.								
All villages of Janjgir Tahsil ...	183,038	1,607	180,382	852	79	118	4,832	No Municipality.
{ Khalsa ...	77,188	801	75,668	1,176	40	13	1,702	
{ Zamindari ...	105,850	806	104,714	676	39	105	3,130	
Total ...	260,226	2,498	255,450	2,028	119	131	6,534	
Katghora Tahsil.								
All villages of Katghora Tahsil *	This tahsil was not formed at the time of last census.							
Mungeli Tahsil.								
All villages of Mungeli Tahsil ...	68,839	566	67,344	652	239	39	1,982	No Municipality.
{ Khalsa ...	33,628	444	32,352	804	13	15	790	
{ Zamindari ...	35,211	122	35,092	848	226	24	1,192	
Total ...	102,467	1,010	99,696	1,456	251	54	2,772	
District Total ...	668,477	7,040	624,724	26,455	921	278	16,615	

* This Tahsil was formed in 1914 out of the Bilaspur and Janjgir Tahsils. This affects the relation between the figures of Statements III and IV and those of this Statement.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the tahsils of the Bilaspur District.

	Agriculturists.														Non-agriculturists.				Remarks.					
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of							
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	19.	20.	21.	22.	23.	24.	
Bilaspur Tahsil.																								
Municipality of Bilaspur	90	86	81	77	73	68	61	61	23	10	4	2	1	1	*740	*270	*119	82	653	413	224	109	In Bilaspur Municipality 1,973 voters are qualified by an annual income of Rs. 120 or more.	
Other villages	1,146	979	839	763	680	525	438	3,996	1,369	413	181	86	20	3	610	Not given.	155			Not given.				
Total	1,236	1,065	920	840	753	593	499	6,057	1,392	423	185	88	21	3	1,350	270	119	237	653	413	224	109		
Janjgir Tahsil.																								
All villages	2,264	1,656	1,290	1,046	861	609	452	4,494	755	183	63	30	7	2	610	515	382	261			Not given.		No Municipality.	
Katghora Tahsil.																								
All villages	536	467	414	344	291	193	139	1,033	139	43	17	6	2	1	225	105	64	46			Not given.		No Municipality.	
Mungeli Tahsil.																								
All villages	1,292	1,123	976	868	747	574	470	5,138	1,713	622	273	130	34	8	191	148	139	130			Not given.		No Municipality.	
District Total	5,828	4,811	3,600	3,098	2,652	1,969	1,560	17,772	3,899	1,271	538	254	64	13	2,376	1,038	704	674	653	413	224	109		

* In these figures income from agricultural and non-agricultural sources is combined.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the tahsils of the Bilaspur District.

1	Agriculturists.														Non agriculturists.				Remarks.					
	Paying as malgusar.							Paying as tenant or plot-holder							With annual income of		Paying annual house-rent of							
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19		20	21	22	23	24
Bilaspur Tahsil.																								
Municipality of Bilaspur ...	10	10	10	6	5	5	5	5	4	1	1	...	...	...	*103	*45	*23	22	123	89	51	28	In Bilaspur Municipality 264 voters are qualified by an annual income of Rs. 120 or more.
Other villages ...	35	34	28	28	24	20	18	57	18	4	2	...	...	...	29	Not given	12			Not given.			
Total ...	45	44	38	34	29	25	23	62	22	5	3	...	...	...	132	45	23	34	123	89	51	28	
Janjgir Tahsil.																								
All villages ...	21	18	12	10	10	6	5	43	5	1	...	...	...	...	23	20	17	15			Not given.		No Municipality.
Katghora Tahsil.																								
All villages ...	8	6	5	4	3	3	3	19	4	2	1	...	...	...	32	15	8	4			Not given.		No Municipality.
Mungeli Tahsil.																								
All villages ...	23	23	23	18	17	14	14	64	22	9	3	2	18	11	10	7			Not given.		No Municipality.
District Total ...	97	91	78	66	59	48	45	188	53	17	7	2	...	...	...	205	91	58	60	123	89	51	28

* In these figures income from agricultural and non-agricultural sources is combined.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing the distribution of Male population in the Drug District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.					Remarks.	
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.		Total.
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastorals.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
373,159	246,466	200,584	721	131,202	64,386	14,793	5,358	213,460	15,983	3,940	2,848	1,615	8,626	33,006	8,996	198	...	...	1,084	10,278	
Percentage on column 1.	66%	54%	...	35%	17%	4%	...	57%	4%	1%	1%	...	2%	8%	2%	...	...	...	1%	3%	

NOTE.—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given which if applied to column 2 of Statement II will give approximate figures for separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

DRUG. 30

STATEMENT II.—Showing the distribution of Male population according to Religion and Literacy in the Tahsils of the Drug District.

	Total population of all creeds.	Musalmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
1	2	3	4	5	6	7	8	9
Drug Tahsil.								
Municipality of Drug ...	3,589	414	3,007	60	33	75	Not given.	
Other villages ... { Khalsa ...	101,931	646	92,416	8,741	21	107	3,924	
... { Zamindari	12,339	65	11,058	1,198	1	17	263	
Total ...	117,859	1,125	106,481	9,999	55	199	4,187	
Sanjari Tahsil.								
All villages of the Sanjari Tahsil ... { Khalsa	76,349	637	70,779	4,694	54	155	1,982	No Municipality.
... { Zamindari	50,718	523	33,750	16,302	40	63	603	
Total ...	127,047	1,160	104,569	20,996	104	218	2,585	
Bemetara Tahsil.								
All villages of Bemetara Tahsil ... { Khalsa	99,450	715	91,881	6,267	326	61	2,517	No Municipality.
... { Zamindari	28,803	478	21,397	6,882	2	44	522	
Total ...	128,253	1,193	113,278	13,149	328	105	3,039	
District Total ...	275,169	2,478	224,228	44,144	687	523	10,278	

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the Tahsils of the Drug District.

	Agriculturists.														Non-agriculturists.				Remarks.					
	Paying as malguzar.							Paying as tenant or pott-holder.							With annual income of		Paying annual house-rent of							
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Drug Tahsil.																								
Municipality of Drug	23	22	22	21	20	19	18	49	25	18	8	1	...	...	*470	*171	*87	54	1,725	1,066	373	208	
Other villages	1,468	1,275	1,072	964	833	614	505	9,340	3,144	1,286	621	325	86	33	117	95	79	72					Not given.	
Total	1,591	1,297	1,094	985	853	627	517	9,389	3,169	1,298	626	326	86	33	587	266	162	126	1,725	1,066	373	208		
Sanjari Balod Tahsil.																								
All villages	1,049	900	783	688	596	438	313	6,651	1,796	637	291	125	26	7	281	126	96	59					Not given.	No Municipality.
Bemetara Tahsil.																								
All Villages	1,662	1,391	1,211	1,054	914	700	565	9,064	3,255	1,361	627	333	68	29	414	318	216	156					Not given.	No Municipality.
District Total	4,222 4,222	3,588	3,088	2,727	2,368	1,766	1,395	26,024	8,220	3,296	1,544	784	180	69	1,282	710	474	341	1,725	1,066	575	208		

* These figures are based on agricultural and non-agricultural income combined.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the tahsils of the Drug District.

1	Agriculturists.														Non-agriculturists.								Remarks.
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of				Paying annual house-rent				
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Drug Tahsil.																							
Municipality of Drug	1	1	1	1	1	1	1	2	...	...	...	...	...	44	12	6	6	158	128	48	22	
Other villages	7	6	5	4	4	4	4	41	17	7	3	3	1	1	1	1	...			Not given.			
Total	8	7	6	5	5	5	5	43	17	7	3	3	1	45	13	7	6	158	128	48	22		
Sanjari Balod Tahsil.																							
All villages	27	26	20	15	14	10	5	2	13	7	5	2	...	15	10	7	2			Not given.		No Municipality.	
Bemetara Tahsil.																							
All villages	13	13	13	13	13	13	13	64	32	17	9	5	4	3	23	20	12	9			Not given.		No Municipality.
District Total	48	46	39	38	32	28	28	159	62	31	17	10	5	3	88	43	26	17	158	128	48	22	

* These figures are based on agricultural and non-agricultural income combined.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing distribution of Male population in Hoshangabad District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.						Remarks.
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.	Total.	
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastorals.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
230,632	154,918	125,809	2,611	50,282	42,518	6,080	2,723	104,214	23,441	7,630	4,047	2,380	13,206	50,704	15,390	68	1,635	...	916	18,009	
Percentage on column 1.	67%	55%	1%	22%	18%	3%	1%	45%	10%	3%	2%	1%	6%	22%	7%	...	1%	...	...	8%	

Note.—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of the Male population of the Tahsils of the Hoshangabad District according to Religion and Literacy.

	Total population of all creeds.	Musalmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
	2	3	4	5	6	7	8	9
Hoshangabad Tahsil.								
Municipality of Hoshangabad	2,993	777	2,153	6	38	19	Not given.	
Other villages	61,943	1,858	50,571	8,949	349	216	4,848	
Total	64,936	2,635	52,724	8,955	387	235	4,848	
Harda Tahsil.								
Municipality of Harda	4,303	1,072	2,890	35	218	88	Not given.	
Other villages	61,370	2,339	55,051	3,697	28	255	5,274	
Total	65,673	3,411	57,941	3,732	246	343	5,274	
Seoni-Malwa Tahsil.								
Municipality of Seoni-Malwa	3,396	558	2,663	4	107	64	Not given.	
Other villages	29,193	798	24,819	3,411	98	67	2,883	
Total	32,589	1,356	27,482	3,415	205	131	2,883	
Sohagpur Tahsil.								
Municipality and Cantonment of Pachmarhi	2,162	529	1,490	9	109	25	Not given.	
Other villages	65,272	2,709	54,148	8,046	97	272	4,088	
Total	67,434	3,238	55,638	8,055	206	297	4,088	
District Total	280,682	10,840	193,785	24,157	1,044	1,008	18,009	

STATEMENT III.—Showing distribution of Male Adult population according to Property in the Tahsils of the Hoshangabad District.

	Agriculturists.														Non-agriculturists.								Remarks.			
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of				Paying annual house-rent of							
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.				
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24			
Hoshangabad Tahsil.																										
Municipality of Hoshangabad ...	36	35	35	31	30	28	25	90	67	50	38	31	20	12	292	185	138	55	1,307	955	441	212	In Hoshangabad Municipality 403 voters are qualified by an annual income of Rs. 120 or more and 15 voters are qualified as graduates.			
Other villages ...	374	357	328	317	303	255	240	6,179	3,578	2,228	1,489	1,072	499	269	486	241	141	43	Not given.							
Total ...	410	392	363	348	333	283	265	6,269	3,645	2,278	1,527	1,103	519	281	778	426	279	98	1,307	955	441	212				
Harda Tahsil.																										
Municipality of Harda ...	45	44	44	44	42	40	39	153	129	113	89	78	57	37	*548	*264	*157	66	976	584	331	200	In Harda Municipality 331 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 1,469 voters are qualified by an annual income of Rs. 120 or more.			
Other villages ...	225	224	223	221	218	200	191	6,561	4,882	3,566	2,753	2,182	1,293	849	397	224	172	75	Not given.							
Total ...	270	268	267	265	260	240	230	6,714	5,011	3,679	2,842	2,260	1,350	886	945	488	329	141	976	584	331	200				
Seoni-Malwa Tahsil.																										
Municipality of Seoni-Malwa ...	15	15	15	15	15	15	15	150	121	89	69	58	29	19	131	75	51	33	673	311	128	37	In Seoni-Malwa Municipality 92 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 267 voters are qualified by an annual income of Rs. 120 or more.			
Other villages ...	223	206	200	188	180	157	129	3,840	2,536	1,715	1,164	810	383	227	105	102	71	38	Not given.							
Total ...	238	221	215	203	195	172	144	3,990	2,657	1,804	1,233	868	412	246	236	177	122	71	673	311	128	37				
Sohagpur Tahsil.																										
Municipality and Cantonment of Fachmarhi	87	15	6	5	3	1	1	Not given.				4	3	6	4	4	4		
Other villages ...	328	495	451	420	372	296	264	6,251	3,662	2,371	1,558	1,081	471	274	841	477	349	121	Not given.							
Total ...	328	495	451	420	372	296	264	6,258	3,677	2,317	1,563	1,084	472	275	841	477	353	124	673	311	128	37				
District Total ...	1,446	1,376	1,296	1,236	1,160	991	908	22,231	14,990	10,078	7,165	5,315	2,753	1,688	2,800	1,588	1,083	424	4,095	2,105	1,002	400	2,712	1,850	704	453

* These figures are based on income from agricultural and non-agricultural sources combined.

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Hoshangabad District.

1	Agriculturists.														Non-agriculturists.				24				
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of			Remarks.			
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.			Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23		
Hoshangabad Tahsil.																							
Municipality of Hoshangabad ...	4	4	4	4	4	4	4	5	5	3	2	1	1	1	33	24	16	3	199	121	56	26	In Hoshangabad Municipality 42 voters are qualified by an annual income of Rs. 120 or more.
Other villages ...	5	8	8	1	1	1	1	63	42	28	18	14	1	3	82	46	33	7	7	Not given.	56		
Total ...	9	6	6	5	5	5	5	68	47	31	20	15	6	4	115	70	49	10	199	121	56	26	
Harda Tahsil.																							
Municipality of Harda ...	...	...	...	...	...	...	...	4	4	4	4	4	3	2	*121	*51	*25	5	188	108	54	25	In Harda Municipality 54 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 311 voters are qualified by an annual income of Rs. 120 or more.
Other villages ...	...	...	...	...	...	...	...	81	53	32	28	23	10	5	13	10	7	2	...	Not given.	54		
Total ...	1	1	1	1	1	1	1	85	57	36	32	27	13	7	134	61	32	7	188	108	54	25	
Seoni-Malwa Tahsil.																							
Municipality of Seoni-Malwa ...	4	4	4	4	4	4	4	10	9	8	7	4	4	1	19	7	4	...	73	20	7	1	In Seoni-Malwa Municipality 8 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 30 voters are qualified by an annual income of Rs. 120 or more.
Other villages ...	...	...	...	...	...	...	...	45	26	15	10	7	1	...	...	...	...	...	...	Not given.	7		
Total ...	4	4	4	4	4	4	4	55	35	23	17	14	5	1	19	7	4	...	73	20	7	1	
Sohagpur Tahsil.																							
Municipality and Cantonment of Pachmarhi ...	...	...	...	...	...	...	...	2	...	...	...	...	...	...	Not given.	...	...	...	2	Not given	...	1	In Sohagpur Municipality 2 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 30 voters are qualified by an annual income of Rs. 120 or more.
Other villages ...	8	7	6	6	6	6	6	79	43	32	24	15	5	4	100	45	32	11	...	Not given	...		
Total ...	8	7	6	6	6	6	6	81	44	32	24	16	5	4	100	45	33	11	2	...	...	1	
District Total ...	22	18	17	16	16	16	16	269	183	122	93	72	39	16	368	183	118	26	462	249	117	53	

* These figures are based on income from agricultural and non-agricultural sources combined.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing the distribution of Male population in Nimar District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.						Remarks.	
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	An- nists.	Musal- mans.	Chris- tians.	Other creeds.	Total		
			Land- lords and rent receiv- ers.	Ordinary culti- vators.	Farm servants and fields labour- ers.	Pasto- rals.	Miscel- laneous.	Total.	Indus- tries.	Trade.	Profes- sions and liberal arts.	Domes- tic service.	Miscel- laneous.	Total.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
200,765	134,629	110,399	811	55,549	34,172	3,830	1,314	95,676	18,980	7,277	3,432	731	8,530	38,953	13,085	..	2,298	201	550	16,134		
<i>Percentage on column 1,</i>	67%	55%	...	28%	17%	2%	1%	43%	9%	4%	2%	...	4%	19%	7%	...	1%	...	...	8%	

*NOTE.—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of the Male population of the Tahsils of the Nimar District according to Religion and Literacy.

	Total population of all creeds.	Muslimans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
1	2	3	4	5	6	7	8	9
Khandwa Tahsil.								
Municipality of Khandwa ...	11,511	3,587	7,319	5	336	264	2,602	
Other villages ...	93,810	4,871	86,477	588	1,492	382	7,213	
Total ...	105,321	6,458	93,796	593	1,828	646	9,815	
Burhanpur Tahsil.								
Municipality of Burhanpur ...	11,624	5,454	6,119	...	11	40	1,531	
" " <i>at re-census</i> ...	15,556	6,046	9,448	...	...	62	2,634	
Other villages ...	43,730	4,542	38,471	403	94	220	2,861	
Total ...	55,354	9,996	44,390	403	105	260	4,392	
Harsud Tahsil.								
All villages ...	40,090	1,655	35,725	2,438	61	211	1,474	No Municipality.
District Total ...	200,765	20,106	174,111	3,434	1,994	1,117	16,184	

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.—Showing distribution of Male Adult population according to Property in the Tahsils of the Nimar District.

	Agriculturists.														Non-agriculturists.								Remarks.	
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of				Paying annual house-rent of					
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.		
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23		24
Khandwa Tahsil.																								
Municipality of Khandwa	64	64	60	60	57	51	44	248	124	21	44	32	18	6	1,124	624	435	196	2,859	1,874	962	598	In Khandwa Municipality 1,241 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 1,380 voters are qualified by an annual income of Rs. 120 or more.	
Other villages	1,371	1,212	1,050	897	798	597	462	11,339	5,275	2,679	1,499	910	254	109	412	Not given.	196				Not given.			
Total	1,435	1,276	1,110	957	855	648	506	11,587	5,399	2,750	1,543	942	272	115	1,536	624	435	392	2,859	1,874	962	598		
Burhanpur Tahsil.																								
Municipality of Burhanpur	83	81	74	69	69	59	56	700	461	339	259	199	117	73	912	472	335	157	3,129	3,466	898	492	In Burhanpur Municipality 478 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 4,607 voters are qualified by an annual income of Rs. 120 or more.	
Other villages	393	355	326	288	266	208	170	4,612	2,182	1,250	815	379	294	189	193	102	90	87			Not given.			
Total	476	436	400	357	335	267	226	5,312	2,643	1,589	1,074	778	411	232	1,105	574	425	244	3,129	3,466	898	492		
Harsud Tahsil.																								
All villages of Harsud Tahsil	83	76	70	66	62	58	53	4,706	2,156	1,164	721	457	174	90	194	Not given.	32				Not given.		No Municipality.	
District Total	1,998	1,788	1,580	1,380	1,252	978	785	21,905	10,198	5,608	3,888	2,177	857	487	2,885	1,193	860	688	7,088	5,340	1,860	1,000		

* These figures are based on income from agricultural and non-agricultural sources combined.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Nimar District.

1	Agriculturists.														Non-agriculturists.								24
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of				Paying annual house-rent of				
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	
Khandwa Tahsil.																							
Municipality of Khandwa	9	9	6	6	5	4	4	42	27	14	6	2	1	...	*269	*133	*85	44	850	480	214	134	In Khandwa Municipality 508 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 411 voters are qualified by an annual income of Rs. 120 or more.
Other villages	34	29	28	24	23	17	12	265	107	56	41	31	10	4	25	Not given.		15				Not given.	
Total	43	38	34	30	28	21	16	307	134	70	47	33	11	4	294	133	85	59	850	480	214	134	
Burhanpur Tahsil.																							
Municipality of Burhanpur	12	12	12	12	12	12	10	125	67	52	36	23	11	6	*305	*121	*60	21	2,223	1,213	285	137	In Burhanpur Municipality 65 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 1,551 voters are qualified by an annual income of Rs. 120 or more.
Other villages	13	13	13	13	11	6	5	250	118	62	39	23	10	5	18	12	12	12				Not given.	
Total	25	25	25	25	23	18	15	375	185	114	75	46	21	11	323	133	72	33	2,223	1,213	285	137	
Harsud Tahsil.																							
All villages of Harsud Tahsil	3	3	3	2	2	2	2	184	94	58	35	27	13	9	10	Not given.		4				Not given.	No Municipality.
District Total	71	66	62	57	53	41	33	806	413	242	157	108	45	24	627	266	157	98	3,073	1,693	499	271	

* These figures are based on income from agricultural and non-agricultural sources combined.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing the distribution of Male population in Narsinghpur District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.						Remarks.
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.	Total.	
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastorals.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
161,795	105,035	86,273	1,234	37,617	28,191	4,572	2,067	73,681	16,400	4,719	2,407	1,610	6,218	31,354	10,306	50	495	...	557	11,408	
Percentage on column 1.	65%	53%	1%	23%	17%	3%	1%	46%	10%	2%	1%	1%	4%	19%	0%	...	...	...	1%	7%	

NOTE.—The statistics in Statement I are not available for separate tahalls. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for separate tahalls.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911.)

STATEMENT II.—Showing the distribution of the Male population of the Tahsils of the Narsinghpur District according to Religion and Literacy.

	Total population of all creeds.	Musulmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
1	2	3	4	5	6	7	8	9
Narsinghpur Tahsil.								
Municipality of Narsinghpur	5,407	1,040	3,815	104	222	226	Not given.	
Municipality of Chhota Chhindwara	1,687	139	1,397	14	15	152	Not given.	
Other villages	69,000	2,366	58,884	7,359	41	350	5,408	
Total	76,094	3,545	64,066	7,477	278	728	5,408	
Gadarwara Tahsil.								
Municipality of Gadawara	2,350	269	1,970	24	...	87	Not given.	
Other villages	83,351	2,074	72,586	8,213	37	441	5,443	
Total	85,701	2,343	74,556	8,237	37	528	5,443	
District Total	161,795	5,888	138,622	15,714	315	1,256	11,408	

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.—Showing distribution of Male Adult population according to Property in the Tahsils of the Narsinghpur District.

	Agriculturists.														Non-agriculturists.				Remarks.				
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of						
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Narsinghpur Tahsil.																							
Municipality of Narsinghpur ...	49	49	49	44	44	38	38	198	155	112	89	73	34	25	177	73	39	33	758	436	149	58	In Narsinghpur Municipality 385 voters are qualified by an annual income of Rs. 120 or more.
Municipality of Chhota Chhindwara.	21	21	17	17	15	13	12	105	87	63	51	44	26	17	92	46	27	21	195	127	54	12	In Chhota Chhindwara Municipality 157 voters are qualified by an annual income of Rs. 120 or more.
Other villages ...	661	610	567	521	488	426	370	8,313	5,390	3,682	2,683	1,978	1,087	626	120	103	91	57	Not given.				
Total ...	731	680	633	580	545	477	420	8,616	5,632	3,857	2,823	2,095	1,147	668	389	222	157	111	953	563	183	70	
Gadarwara Tahsil.																							
Municipality of Gadawara ...	20	20	19	19	18	18	17	137	100	63	44	32	17	13	147	74	42	37	717	393	136	87	In Gadawara Municipality 513 voters are qualified by an annual income of Rs. 120 or more.
Other villages ...	830	758	660	606	560	460	360	9,633	5,268	3,220	2,050	1,411	652	340	232	130	114	96	Not given.				
Total ...	850	778	679	625	578	478	377	9,770	5,368	3,283	2,094	1,443	669	353	379	204	156	133	717	393	136	87	
District Total	1,581	1,458	1,312	1,205	1,123	955	797	18,386	11,000	7,140	4,917	3,538	1,816	1,021	768	426	313	244	1,670	956	319	157	

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Narsinghpur District.

1	Agriculturists.														Non-agriculturists.					24			
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of			Paying annual house-rent of			Remarks.		
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.			Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23		
Narsinghpur Tahsil.																							
Municipality of Narsinghpur	4	4	4	4	4	4	4	24	11	7	6	6	4	3	29	8	4	3	188	104	26	8	In Narsinghpur Municipality 85 voters are qualified by an annual income of Rs. 120 or more.
Municipality of Chhota Chhindwara.	...	...	...	...	...	...	...	3	2	...	...	...	...	...	2	1	...	...	9	4	1	...	In Chhota-Chhindwara Municipality 6 voters are qualified by an annual income of Rs. 120 or more.
Other villages	20	20	16	15	15	14	12	184	123	91	71	53	31	17	7	6	6	6	Not given.				
Total	24	24	20	19	19	18	16	211	136	98	77	59	35	20	38	15	10	9	197	108	27	8	
Gadarwara Municipality.																							
Municipality of Gadawara	1	1	1	1	1	1	1	3	3	3	2	1	1	1	15	7	4	4	101	53	20	13	In Gadawara Municipality 39 voters are qualified by an annual income of Rs. 120 or more.
Other villages	3	3	3	3	3	...	...	114	57	34	21	9	2	2	9	3	3	3	Not given.				
Total	4	4	4	4	4	1	1	117	60	37	23	10	3	3	24	10	7	7	101	53	20	13	
District Total	28	28	24	23	23	19	17	328	196	135	100	69	38	23	62	25	17	16	298	161	47	21	

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing the distribution of Male population in Chhindwara District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.						Remarks.
			Agricultural occupations						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.	Total.	
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastorals.	Miscellaneous.	Total.	Industries.	Trades.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
955,884	470,680	134,376	875	79,899	44,326	8,020	832	133,952	16,345	5,380	2,397	990	11,616	36,728	7,720	192	1,160	...	546	9,618	
Percentage on column 1.	67%	53%	...	31%	17%	3%	...	52%	6%	2%	2%	...	5%	14%	3%	...	2%	...	...	4%	

Note.—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of the Male population of the Tahsils of the Chhindwara District according to Religion and Literacy.

	Total population of all creeds.	Musalmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.	
1	2	3	4	5	6	7	8	9	
- Chhindwara District.									
Municipality of Chhindwara ...	6,503	1,338	4,573	192	221	179	Not given		
Other villages { Khalsa ...	135,151	3,835	87,327	43,284	125	580	4,809		
{ Zamindaris ...	38,858	659	10,107	27,952	40	100	622		
Total ...	180,512	5,832	102,007	71,428	386	859	5,501		
Sausar Tahsil.									
Municipality of Sausar ...	2,729	185	2,443	93	1	7	Not given.		
Municipality of Pandhurna ...	3,507	338	3,108	21	...	40	Not given.		
Other villages ...	69,136	2,104	46,740	20,126	11	155	3,650		
Total ...	75,372	2,627	52,291	20,240	12	202	3,650		
Amarwara Tahsil.*									
All villages of Amarwara Tahsil* ...	This Tahsil was formed after last Census.							No Municipality.	
District Total ...	255,884	8,459	154,298	91,668	398	1,061	9,618		

* This Tahsil was formed in 1913 out of the Chhindwara Tahsil. This affects the relation between the figures in Statement III and IV and those in this Statement.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the Tahsils of the Chhindwara District.

1	Agriculturists.														Non-agriculturists.				24				
	Paying as malgusars.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of						
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23		
Chhindwara Tahsil.																							
Municipality of Chhindwara	187	93	49	26	16	6	5	88	83	73	70	58	48	42	*320	*132	*64	58	1,776	869	259	180	
Other Villages	1,322	987	764	603	516	370	277	5,695	1,691	705	357	196	56	18	1,055	284	170	97	Not given.				
Total	1,509	1,080	813	629	532	376	282	5,783	1,774	778	427	254	104	60	1,375	416	234	155	1,776	869	359	180	
Sausar Tahsil.																							
Municipality of Sausar	5	5	5	5	5	5	5	226	112	72	50	29	16	6	*234	*98	*45	12	142	94	44	30	
Municipality of Pandhurna	47	42	39	31	30	26	24	405	187	108	66	30	14	4	*70	*37	*28	12	399	135	19	14	
Other villages	366	312	274	244	220	167	143	4,849	2,700	1,108	686	464	192	99	617	261	167	96	Not given.				
Total	418	359	318	280	255	198	172	5,480	2,999	1,288	702	523	222	109	921	396	240	120	541	229	63	44	
Amarwara Tahsil.																							
All villages of Amarwara Tahsil	1,011	825	669	560	485	352	267	5,081	1,710	763	394	213	67	23	772	254	131	79	Not given.				
District Total	3,938	2,264	1,800	1,489	1,372	928	721	18,344	5,888	2,829	1,523	990	393	192	3,088	1,086	605	384	2,317	1,098	422	224	

* These figures are based on income from agricultural or non-agricultural sources combined.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Chhindwara District.

1	Agriculturists.														Non-agriculturists.								24
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of				Paying annual house-rent of				
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	
Chhindwara Tahsil.																							
Municipality of Chhindwara	18	10	4	2	1	...	...	15	15	12	12	11	9	7	*61	*19	*10	6	348	120	41	18	In Chhindwara Municipality 48 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 128 voters are qualified by an annual income of Rs. 120 or more.
Other villages	41	39	34	31	31	28	24	106	48	24	7	2	1	1	56	13	11	7	Not given.				
Total	59	49	38	33	32	28	24	121	63	36	19	13	10	8	117	32	21	13	348	120	41	18	
Sausar Tahsil.																							
Municipality of Sausar	...	...	...	...	...	...	...	13	3	2	2	...	...	...	*10	*4	*2	1	21	13	2	2	In Sausar Municipality 25 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 3 voters are qualified by an annual income of Rs. 120 or more.
Municipality of Pandhurna	3	2	2	...	...	...	...	22	8	5	3	2	2	1	*5	*4	*3	1	30	3	...	...	In Pandhurna Municipality 55 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 5 voters are qualified by an annual income of Rs. 120 or more.
Other villages	15	15	15	15	10	7	5	131	60	39	25	15	6	3	43	25	12	5	Not given.				
Total	18	17	17	15	10	7	5	166	71	46	30	17	8	4	58	33	17	7	51	16	2	2	
Amarwara Tahsil.																							
All villages of Amarwara Tahsil	28	26	21	19	17	13	5	118	47	22	18	15	7	1	53	18	8	1	Not given.				No Municipality.
District Total	106	92	76	68	59	46	34	406	181	104	67	46	25	13	228	63	46	21	599	126	43	20	

* These figures are based on income from agricultural and non-agricultural sources combined.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing the distribution of Male population in the Betul District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.													Literate male adults.						Remarks.
			Agricultural occupations.							Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.	Total.	
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastorals.	Miscellaneous.	Total.	Industries.	Trades.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
194,167	130,959	102,131	1,253	61,584	28,880	8,881	937	101,535	11,665	3,716	1,733	656	11,654	29,424	6,578	65	...	...	1,249	7,892	
<i>Percentage on column 1.</i>	67%	53%	1%	32%	15%	5%	...	52%	6%	2%	1%	...	6%	15%	3%	...	...	...	1%	4%	

NOTE.—The statistics in Statement I are not available for separate Tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of the Male population of the Tahsils of the Betul District according to Religion and Literacy.

	Total population of all creeds.	Musalmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
1	2	3	4	5	6	7	8	9
Betul Tahsil.								
Municipality of Betul	3,839	765	2,751	205	42	76	Not given.	
Other villages	71,916	1,662	41,887	28,025	151	191	3,501	
Total	75,755	2,427	44,638	28,230	193	267	3,501	
Mulnai Tahsil.								
All villages	76,184	1,204	61,325	13,273	43	339	2,852	No Municipality.
Bhainsdehi Tahsil.								
All villages	44,224	723	23,854	17,444	38	165	1,137	No Municipality.
District Total	164,163	4,354	129,817	58,947	274	771	7,892	

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.—Showing distribution of Male Adult population according to Property in the Tahsils of the Betul District.

	Agriculturists.														Non-agriculturists.				Remarks.				
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of						
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24
Betul Tahsil.																							
Municipality of Betul	48	45	34	34	33	30	30	121	76	44	31	18	8	6	361	138	81	36	*423	*420	*170	*82	In Betul Municipality 46 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 499 voters are qualified by an annual income of Rs. 120 or more.
Other villages	341	297	267	248	221	173	145	4,465	1,624	815	463	276	96	44	117	93	72	60	Not given.				
Total	389	342	301	282	254	203	175	4,586	1,700	859	494	294	104	50	478	231	153	96	423	420	170	82	
Mulnai Tahsil.																							
All villages of Mulnai Tahsil	448	381	309	275	246	187	157	4,478	1,535	705	357	217	73	22	500	244	172	118	Not given.				No Municipality.
Bhainsdehi Tahsil.																							
All villages of Bhainsdehi Tahsil	189	159	137	114	107	89	75	2,218	600	225	102	57	16	6	50	59	45	41	Not given.				No Municipality.
District Total	1,026	882	747	671	607	470	407	11,277	3,835	1,789	953	568	193	78	1,028	525	370	255	423	420	170	82	

* Includes males of all ages.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Betul District

1	Agriculturists.														Non-agriculturists.				Remarks.				
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of					Paying annual house rent of			
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Betul Tahsil.																							
Municipality of Betul	14	14	6	6	6	4	4	15	11	8	7	4	2	1	57	30	17	9	*102	*100	*31	*11	In Betul Municipality 8 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 79 voters are qualified by an annual income of Rs. 120 or more.
Other villages	12	11	9	3	3	3	3	36	13	6	4	2	...	...	4	3	3	2	Not given.				
Total	26	25	15	9	9	7	7	51	24	14	11	6	2	1	61	33	20	11	102	100	31	11	
Multai Tahsil.																							
All villages of Multai Tahsil	18	18	15	15	15	13	13	39	11	9	2	1	...	...	24	15	8	7	Not given.				No Municipality.
Bhainsdehi Tahsil.																							
All villages of Bhainsdehi Tahsil	1	1	1	1	1	1	1	43	13	3	3	...	...	...	3	3	3	3	Not given.				No Municipality.
District Total	45	44	31	25	25	21	21	133	48	26	16	7	2	1	88	51	31	21	102	100	31	11	

* Includes males of all ages.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing the distribution of Male population in Nagpur District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.													Literate male adults.						Remarks.
			Agricultural occupations.							Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.	Total.	
			Landlords and rent receivers.	Ordinary cultivators.	Farm-servants and field labourers.	Pastorals.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
408,843	279,891	231,048	3,118	75,807	69,140	15,568	2,854	166,487	54,781	15,972	7,563	5,375	29,113	112,804	23,296	58	3,492	2,092	853	29,791		
<i>Percentage on column 1.</i>	68%	57%	1%	19%	17%	4%	1%	41%	13%	4%	2%	1%	7%	28%	5%	...	1%	1%	...	7%		

NOTE.—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for the separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF THE LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of the **Male** population of the Tahsils of the Nagpur District according to Religion and Literacy.

	Total population of all creeds.	Musalman.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
	2	3	4	5	6	7	8	9
Nagpur Tahsil.								
Municipality and Civil Station of Nagpur town	53,696	7,854	42,187	703	2,158	794	9,068	
Do. do. at re-census	70,441	9,866	57,110	...	2,078	1,381	8,208	
Cantonment of Kamptee	9,348	2,533	5,830	46	1,295	44	2,240	
Do. do. at re-census	12,047	2,908	8,662	...	...	477	1,311	
Other villages	65,649	1,958	59,404	3,920	31	336	3,220	
Total	128,693	12,345	107,021	4,669	3,484	1,174	14,538	
Ramtek Tahsil.								
Municipality of Ramtek	4,840	311	4,408	70	8	43	Not given.	
Other villages	67,720	1,334	57,734	8,445	68	139	3,675	
Total	72,560	1,645	62,142	8,515	76	182	3,675	
Saoner Tahsil.								
Municipality of Saoner	3,425	256	3,124	17	21	7	Not given.	
Do. Khapa	4,140	301	3,814	4	...	21	Not given.	
Do. Kalmeshwar	2,868	151	2,677	...	...	40	Not given.	
Other villages	53,763	1,470	50,722	1,400	29	142	4,018	
Total	64,196	2,178	60,337	1,421	50	210	4,018	
Katol Tahsil.								
Municipality of Mowad	2,307	187	2,109	1	...	10	Not given.	
Other villages	69,023	2,125	65,456	1,105	3	334	3,691	
Total	71,330	2,312	67,565	1,106	3	344	3,691	
Umrer Tahsil.								
Municipality of Umrer	8,600	462	8,122	4	8	4	Not given.	
Other villages	63,464	1,105	59,938	2,155	143	123	3,382	
Total	72,064	1,567	68,060	2,159	151	127	3,382	
District Total	408,848	20,047	368,125	17,870	3,764	2,087	29,791	

STATEMENT III.—Showing distribution of Male Adult population according to Property in the Tahsils of the Nagpur District.

	Agriculturists.														Non-agriculturists.								Remarks.	
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of				Paying annual house-rent of					
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.		
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22		23	24
Nagpur Tahsil.																								
Municipality and Civil Station of Nagpur.	253	252	248	247	245	242	239	595	491	396	342	279	181	109	4,600	2,472	1,640	449	8,536	5,843	3,409	2,275	In Nagpur Municipality 4,467 voters are qualified by payment of Rs. 6 or more as taxes and 295 voters by payment of Rs. 50 or more and 11 voters as mill and factory managers, and 431 voters as graduates.	
Cantonment of Kamptee	12	12	12	12	12	12	12	6	54	45	38	32	20	14	869	266	102	78	2,376	1,094	374	149		
Other villages	259	246	219	205	188	162	143	7,296	4,336	2,586	1,682	1,159	513	282	952	123	83	40						
Total	524	510	479	464	445	416	394	7,954	4,881	3,027	2,062	1,470	714	405	5,721	2,861	1,825	567	10,912	6,937	3,783	2,424		
Ramtek Tahsil.																								
Municipality of Ramtek	29	29	29	29	27	27	25	204	111	76	49	31	11	8	119	46	24	21	1,171	665	333	120	In Ramtek Municipality 95 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 177 voters by an annual income of Rs. 120 or more.	
Other villages	247	234	217	203	195	167	146	7,474	4,321	2,675	1,691	1,125	484	257	328	140	83	63						
Total	276	263	246	232	222	194	171	7,678	4,432	2,751	1,740	1,156	498	265	447	186	107	84	1,171	665	333	120		
Saoner Tahsil.																								
Municipality of Saoner	14	14	9	8	8	8	8	271	150	100	67	47	21	16	173	80	54	16	571	393	49	24	In Saoner Municipality 163 voters are qualified by an annual payment of tax of Rs. 2 or more.	
" of Khapa	4	4	4	3	3	3	3	140	80	49	32	21	8	5	235	74	42	37	325	172	84	15		
" of Kalmeshwar	15	15	15	15	12	12	12	221	143	106	90	63	27	12	117	50	36	18	318	172	31	4		
Other villages	541	489	451	413	381	324	293	5,997	3,372	2,042	1,357	918	437	242	394	180	123	92						
Total	574	522	479	439	404	347	316	6,629	3,745	2,297	1,546	1,049	493	275	919	384	255	163	1,214	682	164	43		
Katol Tahsil.																								
Municipality of Mowad	13	13	13	10	9	9	8	241	134	84	59	36	16	13	79	44	26	10	331	113	91	3	In Mowad Municipality 302 voters are qualified by payment of tax of Rs. 2 or more per annum.	
Other villages	698	635	564	508	473	398	346	6,606	3,344	1,922	1,176	811	388	206	615	327	181	81						
Total	711	648	577	518	482	407	354	6,847	3,478	2,006	1,235	847	404	219	694	371	207	91	331	113	91	3		
Umrer Tahsil.																								
Municipality of Umrer	61	58	56	56	49	46	38	388	215	131	93	65	30	12	159	80	55	33	231	91	11	1	In Umrer Municipality 82 voters are qualified by an annual payment of Rs. 2 or more in taxes.	
Other villages	358	307	277	245	222	190	163	7,852	4,634	2,824	1,791	1,203	451	223	133	80	55	40						
Total	419	365	333	301	271	236	201	8,240	4,849	2,955	1,884	1,268	481	235	292	80	55	73	23	9	11	1		
District Total	2,504	2,308	2,114	1,954	1,824	1,600	1,438	37,349	21,385	13,036	8,467	5,780	2,587	1,399	8,078	3,882	2,449	978	26,211	13,657	8,408	4,190	2,500	

* These figures include income from both agricultural and non-agricultural sources.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.—Showing distribution of male adult Mahomedan population according to Property in the Tahsils of the Nagpur District.

1	Agriculturists.														Non-agriculturists.								24
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of				Paying annual house-rent of				
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Nagpur Tahsil.																							
Municipality of Nagpur and Civil Station.	20	20	20	20	20	20	20	36	33	25	22	17	10	6	485	247	152	21	1,501	1,011	516	323	In Nagpur Municipality 490 voters are qualified by payment of Rs. 6 or more as taxes, 47 voters by payment of Rs. 50 as octroi, and 1 voter as Mill and Factory Manager, and 11 voters as graduates.
Cantonment of Kamptee	1	1	1	1	1	1	1	5	4	2	2	2	2	1	185	49	13	8	640	203	41	9	
Other villages	2	2	2	2	2	2	2	123	79	54	35	27	20	13	9	7	5		Not given				
Total	23	23	23	23	23	23	23	164	116	81	59	46	32	20	680	303	270	29	2,141	1,214	557	332	
Ramtek Tahsil.																							
Municipality of Ramtek	9	4	2	6	3	3	3	57	32	12	7	In Ramtek Municipality 1 voter is qualified by possession of property of an annual letting value of Rs. 50 or more and 37 voters by an annual income of Rs. 120 or more.
Other villages	13	13	10	10	7	4	3	69	46	31	24	21	12	7	10	7	2	2	Not given				
Total	13	13	10	10	7	4	3	78	50	33	24	21	12	7	16	10	5	5	57	32	12	7	
Saoner Tahsil.																							
Municipality of Saoner	1	1	1	14	7	3	1	156	72	47	15	28	24	1	...	In Saoner Municipality 7 voters are qualified by an annual payment of tax of Rs. 2 or more.
Khapa	...	...	...	...	...	...	...	6	6	5	1	...	...	...	17	5	2	2	22	10	4	...
Kalmeshwar	4	4	4	4	4	4	4	2	1	1	1	...	...	...	12	9	9	7	14	7	1	...
Other villages	20	18	18	13	13	8	4	89	44	30	17	10	5	3	21	9	6	3	Not given				
Total	25	23	23	17	17	12	10	113	58	39	20	11	6	4	206	95	64	27	64	41	6	...	
Katol Tahsil.																							
Municipality of Mowad	8	8	8	5	4	4	3	13	11	3	3	1	1	...	7	4	2	...	35	6	1	...	In Mowad Municipality 27 voters are qualified by payment of tax of Rs. 2 or more.
Other villages	6	4	4	4	2	2	2	106	37	19	13	10	7	5	31	17	9	3	Not given				
Total	14	12	12	9	6	6	5	119	48	22	16	11	8	5	38	21	11	3	35	6	1	...	
Umrer Tahsil.																							
Municipality of Umrer	1	1	1	1	1	1	1	21	6	3	3	2	2	...	11	6	4	4	2	2	In Umrer Municipality 61 voters are qualified by an annual payment of tax of Rs. 2 or more.
Other villages	8	8	8	8	7	7	7	73	37	21	10	6	3	3	3	3	3	3	Not given				
Total	9	9	9	9	8	8	8	94	43	24	13	8	3	3	14	6	4	4	2	2	...	...
District Total	84	80	77	68	61	59	49	868	315	199	132	97	61	39	954	435	354	68	2,299	1,295	576	339	

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing the distribution of Male population in the Wardha District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.						Remarks.
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.	Total.	
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastoral.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
231,871	160,938	133,955	2,429	43,568	66,171	5,931	989	119,088	18,420	8,073	3,645	1,845	9,866	41,850	13,783	53	1,347	...	559	15,742	
<i>Percentage on column 1.</i>	69%	58%	1%	19%	20%	3%	...	51%	8%	4%	2%	1%	4%	18%	6%	...	1%	...	...	7%	

Note.—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for the separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF THE LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of the Male population of the Tahsils of the Wardha District according to Religion and Literacy.

	Total population of all creeds.	Musalmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
	2	3	4	5	6	7	8	9
Wardha Tahsil.								
Municipality of Wardha	5,719	780	4,603	174	85	137	Not given.	
Do. Deoli	2,808	195	2,560	36	...	17	Not given.	
Do. Pulgaon	2,870	341	2,411	66	...	53	Not given.	
Other villages	77,921	2,346	66,921	8,251	13	390	6,568	
Total	89,318	3,602	76,495	8,527	98	596	6,568	
Hinganghat Tahsil.								
Municipality of Hinganghat	7,690	1,011	6,280	168	17	214	Not given.	
Other villages	50,660	1,098	44,320	5,163	...	79	3,316	
Total	58,350	2,109	50,600	5,331	17	293	3,316	
Arvi Tahsil.								
Municipality of Arvi	6,134	677	5,236	145	...	76	Not given.	
Other villages	78,069	2,943	65,252	9,546	2	326	5,299	
Total	84,203	3,620	70,488	9,691	2	402	5,299	
District Total	231,871	9,331	197,683	23,849	117	1,291	15,742	

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the Tahsils of the Wardha District.

1	Agriculturists.														Non-agriculturists.								Remarks.	
	Paying as malguzars.							Paying as tenant or plot-holder.							With annual income of				Paying annual house-rent of					
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 15 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.		Rs. 72 or more.
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		
Wardha Tahsil.																								
Municipality of Wardha	69	56	49	47	42	39	34	162	88	60	30	22	12	7	575	347	225	81	2,466	1,643	888	543	In Wardha Municipality 625 voters are qualified by an annual payment of Rs. 4 or more in taxes.	
Municipality of Deoli	11	10	10	9	9	8	7	209	120	75	49	38	23	15	170	84	38	15	472	235	54	9	In Deoli Municipality 309 voters are qualified by an annual payment of Rs. 2 or more in taxes.	
Municipality of Pulgaon	2	2	1	1	1	1	1	32	22	10	8	6	3	1	199	130	102	25	972	533	244	147	In Pulgaon Municipality 218 voters are qualified by an annual payment of Rs. 2 or more in taxes.	
Other villages	957	791	704	634	577	493	410	7,775	4,470	2,654	1,716	1,189	514	252	694	397	230	175	Not available.					
Total	1,033	859	764	691	629	541	452	8,169	4,700	2,799	1,803	1,255	552	275	1,638	958	595	297	3,910	2,411	1,185	699		
Hinganghat Tahsil.																								
Municipality of Hinganghat	48	47	44	44	42	40	40	202	140	96	68	47	24	16	347	179	96	77	2,664	1,168	515	326	In Hinganghat Municipality 192 voters are qualified by an annual payment of Rs. 3 or more in taxes.	
Other villages	473	399	351	355	277	203	169	6,566	3,650	2,137	1,324	852	341	164	360	166	87	79	Not available.					
Total	521	446	395	399	319	243	209	6,768	3,790	2,233	1,392	899	365	180	707	345	183	156	2,664	1,168	515	326		
Arvi Tahsil.																								
Municipality of Arvi	36	34	33	33	31	27	26	396	225	133	78	56	29	17	180	89	57	33	1,374	973	411	244	In Arvi Municipality 420 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 1,210 voters are qualified by an annual income of Rs. 120 or more.	
Other villages	797	619	512	441	400	329	286	6,357	3,171	1,792	1,151	789	355	195	610	353	164	128	Not available.					
Total	773	653	545	474	431	356	312	6,753	3,396	1,925	1,229	845	384	212	790	442	221	161	1,374	973	411	244		
District Total	2,227	1,852	1,704	1,524	1,379	1,140	873	21,680	11,886	6,965	4,424	2,899	1,901	667	3,175	1,745	899	614	7,948	4,552	2,112	1,269		

* These figures represent income from agricultural and non-agricultural sources combined.

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Wardha District.

	Agriculturists.														Non-Agriculturists.				Remarks.					
	Paying as malguzar.							Paying as tenant or plot-holder.*							With annual income of		Paying annual house rent of							
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Wardha Tahsil.																								
Municipality of Wardha ...	1	1	1	1	...	...	...	20	8	5	4	3	3	3	75	51	34	12	267	201	120	81	In Wardha Municipality 82 voters are qualified by an annual payment of Rs. 4 or more in taxes.
" of Deoli ...	...	...	...	...	...	...	...	6	4	4	4	2	...	...	*14	*13	*8	4	30	20	3	...	In Deoli Municipality 35 voters are qualified by an annual payment of Rs. 2 or more in taxes.
" of Pulgaon ...	...	...	...	...	...	...	...	1	...	...	...	...	...	...	*23	*15	*13	4	121	56	28	16	In Pulgaon Municipality 32 voters are qualified by an annual payment of Rs. 2 or more in taxes.
Other villages ...	23	13	11	11	11	10	9	159	89	51	37	24	7	4	36	23	11	9	Not available.					
Total ...	24	14	12	12	11	10	9	186	101	60	45	29	10	7	148	102	68	29	418	277	151	97		
Hinganghat Tahsil.																								
Municipality of Hinganghat ...	2	2	2	2	2	2	2	16	11	9	7	5	1	1	44	22	9	7	351	176	75	48	In Hinganghat Municipality 741 voters are qualified by an annual payment of Rs. 3 or more in taxes.	
Other Villages ...	7	6	5	5	5	5	5	87	51	23	17	13	7	3	13	10	5	5	Not available.					
Total ...	9	8	7	7	7	7	7	103	62	32	24	18	8	4	57	32	14	12	351	176	75	48		
Arvi Tahsil.																								
Municipality of Arvi ...	2	1	...	...	...	...	...	21	17	10	9	5	3	...	21	10	6	3	126	81	28	17	In Arvi Municipality 27 voters are qualified by possession of property of an annual letting value of Rs. 50 or more and 102 voters are qualified by an annual income of Rs. 120 or more.
Other villages ...	18	15	13	12	12	12	8	169	94	51	36	28	12	7	17	10	3	1	Not available.					
Total ...	20	16	13	12	12	12	8	190	111	61	45	33	15	7	38	20	9	4	126	81	28	17		
District Total ...	83	38	32	31	30	29	24	479	274	153	114	80	33	18	243	154	91	45	895	534	354	162		

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing distribution of Male population in Chanda District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 3.												Literate male adults.					Remarks.	
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.		Total.
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastoral.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
337,540	224,737	183,338	681	89,884	53,096	14,616	1,386	159,663	31,062	8,591	3,226	1,132	21,063	65,674	9,988	259	1,302	...	285	11,834	
Percentage on column 1	67%	54%	...	27%	16%	4%	...	47%	9%	3%	1%	...	6%	19%	3%	...	1%	...	...	4%	

NOTE.—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF THE LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of the Male population of the Tahsils of the Chanda District according to Religion and Literacy.

	Total population of all creeds.	Musalmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
	2	3	4	5	6	7	8	9
Chanda Tahsil.								
Municipality of Chanda ...	10,077	719	8,955	183	142	78	1,602	
Other villages ...	67,526	840	54,876	11,777	24	9	2,252	
Total ...	77,603	1,559	63,831	11,960	166	87	3,854	
Brahmapuri Tahsil.								
All villages ...	74,194	1,129	65,839	7,202	8	16	2,497	No Municipality.
Garchiroli Tahsil.								
All villages ...	47,980	618	39,420	7,935	3	4	1,394	No Municipality.
Total ...	71,557	966	49,258	21,106	3	24	1,824	
Sironcha Tahsil.								
All villages ...	15,982	359	14,600	849	84	...	264	No Municipality.
Total ...	34,928	612	20,649	13,566	99	2	564	
Warora Tahsil.								
Municipality of Warora ...	3,196	544	2,400	102	...	120	Not given.	
Other villages ...	76,262	1,395	67,458	7,225	28	156	2,911	
Total ...	79,458	1,939	69,858	7,327	28	276	2,911	
District Total	337,640	6,205	269,465	61,161	304	405	11,634	

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the Tahsils of the Chanda District.

1	Agriculturists.														Non-agriculturists.								Remarks.
	Paying as malguzars.							Paying as tenant or plot-holder.							With annual income of				Paying annual house-rent of				
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Chanda Tahsil.																							
Municipality of Chanda	69	55	48	43	41	37	33	353	150	84	53	31	12	7	*386	*140	*86	85	2,308	1,012	282	142	In Chanda Municipality 936 voters are qualified by an annual payment of Rs. 2 or more in taxes.
Other villages	252	209	163	139	115	84	68	2,819	786	288	125	68	15	8	132	Not given.	45			Not given.			
Total	321	264	211	182	156	121	101	3,172	936	372	178	99	27	15	518	140	86	130	2,308	1,012	282	142	
Brahmapuri Tahsil.																							
All villages	422	318	260	215	177	140	118	3,821	1,212	479	209	109	34	12	179	Not given.	58			Not given.			No Municipality.
Garchiroli Tahsil.																							
All villages	386	298	225	179	151	99	74	2,538	586	211	79	33	6	4	130	Not given.	49			Not given.			No Municipality.
Sironcha Tahsil.																							
All villages	28	21	21	16	15	12	12	1,046	335	148	77	41	12	6		Not given.				Not given.			No Municipality.
Warora Tahsil.																							
Municipality of Warora	34	34	34	* 34	34	34	34	103	55	32	26	21	15	6	103	67	53	51	34	17	3	2	In Warora Municipality 390 voters are qualified by an annual payment of Rs. 2 or more in taxes.
Other villages	443	365	317	270	236	176	153	4,673	1,495	639	200	153	39	13	220	Not given.	132			Not given.			
Total	477	399	351	304	270	210	187	4,776	1,550	671	316	174	54	19	323	67	53	102	34	17	3	2	
District Total	1,684	1,300	1,068	896	769	582	492	15,358	4,619	1,861	859	456	153	56	1,150	207	139	440	2,342	1,026	285	144	

* These figures represent income from agricultural and non-agricultural sources combined.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Chanda District.

1	Agriculturists.														Non-agriculturists.				24					
	Paying as malguzar.							Paying as tenant or plot-holder.							* With annual income of		Paying annual house-rent of							
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		
Chanda Tahsil.																								
Municipality of Chanda	4	3	3	2	2	1	1	10	5	3	...	...	...	...	*41	*17	*7	6	159	105	23	13	In Chanda Municipality 114 voters are qualified by an annual payment of Rs. 2 or more as tax.
Other villages	2	2	2	2	2	2	1	33	16	7	2	2	1	1	3	Not given.	2							
Total	6	5	5	4	4	3	2	43	21	10	2	2	1	1	44	17	7	8	159	105	23	13		
Brahmapuri Tahsil.																								
All villages	10	8	7	6	6	6	6	36	9	4	13	Not given.	6							
Garchiroli Tahsil.																								
All villages	24	21	18	17	15	10	8	54	19	5	3	8	Not given.	2							
Sironcha Tahsil.																								
All villages	22	6	2	1	1	1	Not given.	...							
Warora Tahsil.																								
Municipality of Warora	1	1	1	1	1	1	1	8	4	3	1	...	...	...	22	15	12	12	9	5	...	...	In Warora Municipality 83 voters are qualified by an annual payment of Rs. 2 or more as tax.
Other villages	13	12	12	12	12	11	10	54	20	10	4	2	1	...	17	Not given.	13							
Total	14	13	13	13	13	12	11	62	24	13	5	2	1	...	39	15	12	12	9	5		
District Total	54	47	48	40	38	31	27	217	79	34	11	5	3	1	...	...	...	...	168	110	23	13	

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing distribution of Male population in Bhandara District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.					Remarks.	
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.		Total.
			Landlords and rent-receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastoral.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1.	2.	3.	4.	5.	6.	7.	8.	9.	10.	11.	12.	13.	14.	15.	16.	17.	18.	19.	20.	21.	22.
380,014	256,477	205,964	2,490	106,446	60,183	14,164	1,907	185,190	34,151	10,563	3,450	1,182	21,941	71,287	13,428	244	1,683	...	274	15,629	
Percentage on column 1.	67%	54%	1%	28%	16%	4%	1%	48%	9%	3%	1%	...	6%	19%	4%	...	...	...	...	4%	

NOTE.—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of statement II, will give approximate figures for the separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT II.—Showing the Distribution of the Male population of the Tahsils of the Bhandara district according to Religion and Literacy.

		Total population of all creeds.	Musalmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
		2	3	4	5	6	7	8	9
Bhandara Tahsil.*									
Municipality of Bhandara	...	3,787	432	3,268	23	45	19	Not given	
of Paoni	...	5,037	522	4,510	5	...	...	do.	
of Tumsar	...	2,123	123	1,983	16	1	...	do.	
Other villages	...	105,525	1,796	96,028	7,464	139	98	5,547	
	Total	116,472	2,873	105,789	7,508	185	117	5,547	
Gondia Tahsil.*									
All villages	{ Khalsa	112,310	2,121	100,619	9,431	26	113	4,623	No Municipality.
	{ Zamindaris	53,239	859	47,878	4,467	25	10	1,721	
	Total	165,549	2,980	148,497	13,898	51	123	6,344	
Sakoli Tahsil.									
All villages	{ Khalsa	65,977	1,082	59,305	6,508	12	70	2,623	No Municipality.
	{ Zamindaris	31,016	499	23,744	6,753	2	16	841	
	Total	97,993	1,581	83,049	13,263	14	86	3,464	
District Total		380,014	7,494	337,335	34,069	280	326	15,029	

*Please see foot-note on page 70.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.--Showing the distribution of Male Adult population according to Property in the Tahsils of the Bhandara District.

1	Agriculturists.														Non-agriculturists.				Remarks.	24				
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of							
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.			Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19			20	21	22	23
Bhandara District.																								
Municipality of Bhandara	63	58	57	54	54	49	44	161	107	64	40	26	13	8	485	251	163	28	1,159	1,141	368	186	In Bhandara Municipality 1,480 voters are qualified by an annual payment of Rs. 2 or more in taxes.	
Municipality of Pauni	34	31	34	34	33	31	28	182	107	66	45	31	18	12	114	48	37	11	...	...	...	...	In Pauni Municipality 219 voters are qualified by an annual payment of Rs. 2 or more in taxes.
Municipality of Tumsar	10	10	10	10	10	6	3	184	80	49	86	25	13	6	126	80	69	24	546	153	64	28	In Tumsar Municipality 314 voters are qualified by an annual payment of Rs. 2 or more in taxes.	
Other villages	676	571	508	469	419	307	253	7,588	3,853	1,928	1,093	670	253	102	383	172	131	74	Not given.					
Total	783	673	609	567	516	393	328	8,115	4,147	2,107	1,214	752	297	128	1,108	551	400	137	1,705	1,334	432	214		
Gondia Tahsil.																								
All villages	919	827	725	639	553	414	330	8,663	2,474	935	428	237	64	28	303	402	361	218	Not given.				No Municipality.	
Sakoli Tahsil.																								
All villages	831	585	470	376	313	232	179	4,689	1,438	587	307	167	47	19	Not given.		296	158	Not given.				No Municipality.	
District Total	2,523	2,085	1,804	1,582	1,392	1,029	837	21,467	8,050	3,629	1,949	1,156	408	175	1,641	963	1,057	513	1,705	1,384	432	214		

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.— Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Bhandara District.

1	Agriculturists.														Non-agriculturists.				Remarks.				
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house rent of						
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19		20	21	22	23	24
	Bhandara Tahsil.																						
Municipality of Bhandara ...	7	7	7	6	6	5	4	17	9	5	1	...	...	...	55	23	9	1	160	156	42	15	In Bhandara Municipality 206 voters are qualified by an annual payment of Rs. 2 or more in taxes.
Municipality of Paoni ...	4	4	4	4	4	4	4	11	4	4	2	1	...	...	7	3	3	2	...	...	...	...	In Paoni Municipality 14 voters are qualified by an annual payment of Rs. 2 or more in taxes.
Municipality of Tumvar ...	5	7	7	7	7	3	...	16	6	3	3	2	...	...	12	10	9	5	18	10	4	3	In Tumvar Municipality 22 voters are qualified by an annual payment of Rs. 2 or more in taxes.
Other villages ...	31	28	27	24	18	16	12	95	39	23	14	10	3	1	4	3	3	2	Not given.				
Total ...	51	46	45	41	35	28	20	139	58	35	20	13	3	1	78	39	24	10	178	166	46	18	
	Gondia Tahsil.																						
All villages ...	20	20	17	14	12	10	9	86	23	5	2	1	...	...	46	31	27	15	Not given.				
	Sakoli Tahsil.																						
All villages ...	27	26	19	18	17	15	9	48	15	8	6	4	...	...	Not given.		4	2	Not given.				
District Total	98	92	81	73	64	53	38	273	96	48	28	18	8	1	124	70	55	27	178	166	46	18	

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing the distribution of Male population in Balaghat District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.					Remarks.	
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.		Total.
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastoral.	Miscellaneous.	Total.	Industrie.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
196,469	128,076	102,624	341	63,350	31,721	4,238	933	100,583	12,380	2,756	1,995	808	9,554	27,493	6,092	381	...	...	1,149	7,622	
<i>Percentage on column 1.</i>	67%	54%	...	33%	16%	2%	...	53%	6%	1%	1%	...	5%	15%	3%	...	...	...	1%	4%	

NOTE.—The statistics in Statement I are not available for separate tahsils. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for the separate tahsils.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of Male population in the Tahsils of the Balaghat District according to Religion and Literacy.

	Total population of all creeds.	Musulmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
	2	3	4	5	6	7	8	9
Balaghat Tahsil.								
Municipality of Balaghat	3,665	455	2,949	93	40	128	Not given.	
Other villages { Khalsa	98,016	2,292	81,707	13,754	45	217	4,555	
{ Zamindaris	36,535	501	32,959	3,166	4	5	1,191	
Total	138,316	3,248	117,625	17,013	90	350	5,746	
Baihar Tahsil.								
All villages { Khalsa	47,470	595	24,770	21,959	106	40	1,539	No Municipality.
{ Zamindaris	4,683	23	3,134	1,526	...	...	42	
Total	52,153	618	27,904	23,485	106	40	1,581	
Waraseoni Tahsil.								
All villages of the Waraseoni Tahsil *	This Tahsil was formed after last Census.							No Municipality.
District Total	190,469	3,886	145,519	40,498	196	390	7,622	

* This Tahsil was formed in 1917 out of the Balaghat Tahsil of this District and the Bhandara and Gondia Tahsils of the Bhandara District. At the same time 74 villages were transferred from the Baihar to the Balaghat Tahsil. This affects the relation between Statements II and III in regard to all these Tahsils.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the Tahsils of the Balaghat District.

1	Agriculturists.														Non-agriculturists.				Remarks.	24				
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of						Paying annual house-rent of			
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.			Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23			
Balaghat Tahsil.																								
Municipality of Balaghat	21	15	14	14	14	12	12	68	34	17	11	6	2	1	457	237	169	69	420	127	71	43	In Balaghat Municipality 567 voters are qualified by an annual payment of Rs. 2 or more in taxes.	
Other villages	684	601	533	488	433	324	267	6,909	2,755	1,326	710	415	118	46	153	Not given.	53	Not given.						
Total	705	616	547	502	447	336	279	6,977	2,789	1,343	721	421	120	47	610	237	169	132	420	127	71	43		
Baihar Tahsil.																								
All villages	92	77	74	67	62	47	41	1,702	355	127	62	26	7	2	65	41	32	28	Not given.				No Municipality.	
-Waraseoni Tahsil.																								
All villages	1,023	950	868	778	709	553	479	10,804	4,346	2,054	1,074	601	169	69	338	178	163	119	Not given.				No Municipality.	
District Total	1,820	1,643	1,489	1,347	1,218	930	799	18,485	7,490	3,524	1,857	1,048	296	118	1,013	456	364	269	420	127	71	43		

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Tahsils of the Balaghat District.

1	Agriculturists.														Non-agriculturists.				24				
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of					Paying annual house-rent of			
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Balaghat Tahsil.																							
Municipality of Balaghat ...	2	2	2	2	2	2	2	8	5	...	...	...	...	71	38	21	7	66	19	11	8	In Balaghat Municipality 96 voters are qualified by an annual payment of Rs. 2 or more in taxes.	
Other villages ...	48	48	46	45	45	27	25	80	38	18	11	6	2	1	12	Not given	5	...	Not given	...	...
Total ...	50	50	48	47	47	29	27	88	43	18	11	6	2	1	83	38	21	12	66	19	11		8
Baihar Tahsil.																							
All villages ...	1	1	1	1	1	...	...	13	4	2	2	2	...	...	13	9	5	4	Not given				
Waraseoni Tahsil.																							
All villages ...	30	29	29	27	26	24	23	181	77	41	19	13	5	1	19	8	7	5	Not given				
District Total ...	81	80	78	75	74	58	50	262	124	61	32	21	7	2	115	55	39	21	66	19	11	8	

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing the distribution of Male population in Amraoti District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.					Remarks.	
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.		Total.
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastoral.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
447,216	304,082	259,385	2,694	81,743	128,354	7,748	2,531	223,064	31,096	17,746	7,329	5,315	20,532	81,018	28,900	85	3,701	240	2,036	33,902	
Percentage on column 1.	68%	58%	1%	18%	29%	2%	1%	50%	7%	4%	2%	1%	5%	18%	6%	...	1%	...	...	7%	

NOTE.—The Statistics in statement I are not available for separate taluqs. Percentages are therefore given, which, if applied to column 1 of Statement II, will give approximate figures for separate Taluqs.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

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STATEMENT II.—Showing the distribution of the Male population of the Taluqs of the Amraoti District according to Religion and Literacy.

	Total population of all creeds.	Musalmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
1	2	3	4	5	6	7	8	9
Amraoti Taluq.								
Municipality of Amraoti City and Camp ...	21,481	4,347	16,540	20	187	387	4,470	
Other villages ...	76,259	7,101	67,765	901	83	409	5,942	
Total ...	97,740	11,448	84,305	921	270	896	10,412	
Chandur Taluq.								
All villages ...	104,343	5,398	95,170	2,832	17	926	6,508	No Municipality.
Morsi Taluq.								
All villages ...	78,470	5,321	71,046	1,506	7	590	5,046	No Municipality.
Ellichpur Taluq.								
Municipality of Ellichpur City and Camp ...	7,027	2,373	4,553	75	...	26	525	
Do. of re-census ...	12,370	3,528	8,065	...	...	177	809	
Other villages ...	65,822	6,440	58,077	739	216	350	5,236	
Total ...	72,849	8,813	62,630	814	216	376	5,761	
Daryapur Taluq.								
All villages ...	65,799	5,799	59,357	193	200	250	4,602	No Municipality.
Melghat Taluq.								
All villages ...	28,015	1,117	4,844	21,932	117	5	517	No Municipality.
District Total ...	447,210	27,890	377,352	28,108	827	2,943	38,902	

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the Taluqs of the Amraoti District.

	Agriculturists.														Non-agriculturists.				Remarks.						
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of								
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.		
	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		
Amraoti Taluq.																									
Municipality of Amraoti City and Camp.	483	362	280	231	199	141	112	Not given.	377	4,924	3,576	2,099	1,532	In Amraoti Municipality 2,119 voters are qualified by payment of tax. In the other villages of Amraoti Taluq 1,200 voters for the Taluq Board are qualified by payment of Jagia and Local Cess, 4 as Magistrates, 377 as Patels and Patwaris, and 28 as Deshmukhs and Deshpandiyas.				
Other villages	5	5	5	5	5	5	5	6,214	4,362	3,294	2,565	2,049	1,326	940	Not given.	370	Not given.	
Total	5	5	5	5	5	5	5	6,697	4,724	3,574	2,796	2,248	1,467	1,052	747	4,924	3,576	2,099	1,532	
Chandur Taluq.																									
All villages of the Chandur Taluq.	20	18	16	16	16	15	7	7,084	4,272	2,893	2,146	1,686	1,012	693	Not given.	457	Not given.	In the Chandur Taluq 1,668 voters for the Taluq Board are qualified by payment of Jagia and Local Cess, 5 as Magistrates, 404 as Patels and Patwaris, and 25 as Deshmukhs and Deshpandiyas.
Morsi Taluq.																									
All villages of the Morsi Taluq.	8	8	6	6	6	6	6	6,928	4,351	3,045	2,237	1,736	1,055	736	Not given.	333	Not given.	In the Morsi Taluq 1,020 voters for the Taluq Board are qualified by payment of Jagia and Local Cess, 1 as Magistrate, 16 as Patels and Patwaris, and 20 as Deshmukhs and Deshpandiyas.
Ellichpur Taluq.																									
Municipality of Ellichpur City and Camp.	4	4	4	4	4	3	3	766	533	386	310	251	165	126	Not given.	117	2,531	1,441	508	239	In the other villages of the Ellichpur Taluq 1,034 voters for the Taluq Board are qualified by payment of Jagia and Local Cess, 2 as Magistrates, 16 as Patels and Patwaris, and 66 as Deshmukhs and Deshpandiyas.				
Other villages	2	2	2	2	2	2	2	6,269	3,900	280	2,075	1,667	1,054	747	Not given.	240	Not given.	
Total	6	6	6	6	6	5	5	7,035	4,523	666	2,385	1,918	1,219	873	357	2,531	1,441	508	239	
Daryapur Taluq.																									
All villages of the Daryapur Taluq.	39	38	35	32	28	24	16	6,520	4,468	3,280	2,545	2,079	1,340	932	Not given.	419	Not given.	In Daryapur Taluq 1,436 voters for the Taluq Board are qualified by payment of Jagia and Local Cess, 2 as Magistrates, 41 as Patels and Patwaris, and 21 as Deshmukhs and Deshpandiyas.
Melghat Taluq.																									
All villages of the Melghat Taluq.	3	3	3	3	3	3	3	1,407	308	159	92	67	43	22	Not given.	68	Not given.	
District Total	81	78	71	68	64	58	42	38,665	22,646	13,617	12,201	9,734	6,186	4,808	2,881	7,455	5,017	2,607	1,771	

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.— Showing the distribution of the male adult Mahomedan population according to Property in the Taluqs of the Amraoti District.

1	Agriculturists.														Non-agriculturists.				Remarks.				
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of						
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Amraoti Taluq.																							
Municipality of Amraoti City and Camp.	...	...	...	...	...	...	...	61	41	32	27	21	13	8	Not given.		31	740	454	228	164	In Amraoti Municipality 49 voters are qualified by payment of tax.	
Other villages	5	5	5	5	5	5	5	392	284	199	154	117	80	60	Not given.		18	Not given.				In the other villages of Amraoti Taluq 67 voters for the Taluq Board are qualified by payment of Jagtia and Local Cess, 2 as Magistrates, 2 as Patels and Patwaris and 2 as Deshmukhs and Deshpandiyas.	
Total	5	5	5	5	5	5	5	453	375	231	181	138	93	68	...	...	...	49	740	454	228	164	
Chandur Taluq.																							
All villages of the Chandur Taluq.	...	...	...	...	...	...	...	170	100	69	54	49	32	20	Not given.		45	Not given.				In the Chandur Taluq 38 voters for the Taluq Board are qualified by payment of Jagtia and Local Cess, 2 as Magistrates and 2 as Patels and Patwaris.	
Morsi Taluq.																							
All villages of the Morsi Taluq.	...	...	...	...	...	...	...	264	159	115	84	60	28	21	Not given.		25	Not given.				In the Morsi Taluq 21 voters for the Taluq Board are qualified by payment of Jagtia and Local Cess, 7 as Patels and Patwaris and 2 as Deshmukhs.	
Ellichpur Taluq.																							
Municipality of Ellichpur City and Camp.	2	2	2	2	2	2	2	206	143	105	79	54	29	23	Not given.		14	746	414	152	50	In the other villages of the Ellichpur Taluq 42 voters for the Taluq Board are qualified by payment of Jagtia and Local Cess, 2 as Magistrate.	
Other villages	...	...	...	...	...	...	...	274	165	115	84	73	46	31	Not given.		10	Not given.					
Total	2	2	2	2	2	2	2	480	308	220	163	127	75	54	...	...	...	24	746	414	152	50	
Daryapur Taluq.																							
All villages of the Daryapur Taluq.	...	...	...	...	...	...	...	319	215	153	126	114	71	45	Not given.		38	Not given.				In the Daryapur Taluq 83 voters for the Taluq Board are qualified by payment of Jagtia and Local Cess.	
Melghat Taluq.																							
All villages of the Melghat Taluq.	...	...	...	...	...	...	...	43	29	21	16	13	12	5	Not given.		18	Not given.					
District Total	7	7	7	7	7	7	7	1,729	1,196	809	624	501	311	213	...	...	...	109	1,486	868	390	214	

STATEMENT I.—Showing the distribution of Male population in the Akola District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.													Literate male adults.					Remarks.	
			Agricultural occupations.						Non-agricultural occupations.							Hindus.	Animists.	Musalmans.	Christians.	Other creeds.		Total.
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastoral.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.								
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	
400,893	277,217	232,497	2,336	94,019	103,873	6,674	554	207,456	26,626	14,908	6,075	3,807	18,345	69,761	21,538	...	3,129	...	1,278	25,945		
Percentage on column 1.	69%	58%	1%	23%	26%	2%	...	52%	7%	4%	2%	1%	5%	17%	5%	...	1%	...	...	6%	

NOTE.—The statistics in Statement I are not available for separate taluqs. Percentages are therefore given, which, if applied to column 2 of Statement I, will give approximate figures for separate taluqs.

STATEMENT II.—Showing the distribution of the Male population of the Taluqs of the Akola District according to Religion and Literacy

	Total population of all creeds.	Musalman.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
	2	3	4	5	6	7	8	9
Akola Taluq.								
Municipality of Akola	14,006	3,305	10,285	71	143	202	2,835	
Other villages <i>at re-census</i>	14,587	3,833	10,404	...	...	350	809	
Other villages	66,350	4,410	61,484	95	102	264	3,969	
Total	80,356	7,715	71,769	161	245	466	6,804	
Balapur Taluq.								
All villages	56,234	6,282	49,658	...	1	293	2,960	No Municipality.
Akot Taluq.								
Municipality of Akot	6,523	1,423	5,014	5	3	78	Not given.	
Other villages	63,820	5,970	57,561	147	6	186	6,033	
Total	70,303	7,393	62,575	152	9	264	6,033	
Mangrul Taluq.								
All villages	48,108	3,351	44,540	10	2	205	1,974	No Municipality.
Murtizapur Taluq.								
Municipality of Murtizapur	2,988	880	1,965	21	16	106	Not given.	
Other villages " Kananja	6,556	1,953	4,166	66	8	363	Not given.	
Other villages	52,992	3,825	48,707	75	...	385	3,772	
Total	62,536	6,658	54,838	162	24	854	3,772	
Basim Taluq.								
Municipality of Basim	4,562	1,005	3,374	...	77	106	Not given.	
Other villages	78,704	3,938	73,890	6	7	861	3,329	
Total	83,266	4,943	77,264	6	84	967	3,329	
District Total	400,893	36,342	360,644	491	365	3,051	25,945	

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the Taluqs of the Akola District.

1	Agriculturists.														Non-agriculturists.								Remarks.
	Paying as malguzar.								Paying as tenant or plot-holder.						With annual income of				Paying annual house-rent of				
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.		
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Akola Taluq																							
Municipality of Akola	345	272	220	193	163	108	87	Not given.	...	238	2,628	1,933	1,241	906	(A)	
Other villages	7,874	5,125	3,480	2,511	1,883	1,071	638	Do.	...	192	...	...	Not given.	...		
Total	8,219	5,397	3,700	2,704	2,046	1,179	719	...	...	...	430	2,628	1,933	1,241		906
Balapur Taluq																							
All villages of Balapur Taluq	...	6	6	6	6	6	6	6,356	3,637	2,322	1,608	1,167	650	419	Not given.	...	189	...	Not given.	...	...	(B)	
Akot Taluq																							
Municipality of Akot	582	376	247	189	152	107	86	Not given.	...	110	1,283	639	236	146	(C)	
Other villages	7,027	4,655	3,340	2,527	1,935	1,203	848	Do.	...	212	...	Not given.	...			
Total	7,609	5,031	3,587	2,716	2,107	1,310	934	...	...	...	322	1,283	639	236		146
Mangrul Taluq																							
All villages of Mangrul Taluq	...	23	23	23	23	23	23	3,379	1,896	1,194	801	561	307	179	Not given.	...	225	...	Not given.	...	...	(D)	
Murtizapur Taluq																							
Municipality of Murtizapur	157	138	118	105	95	70	62	Not given.	...	61	975	833	377	244	(E)	
Municipality of Karanja	273	197	118	91	61	44	...	Do.	...	80	839	462	265	171		
Other villages	4,825	3,414	2,451	1,858	1,449	909	638	Do.	...	117	...	Not given.	...			
Total	5,265	3,749	2,725	2,081	1,635	1,040	744	...	...	...	258	1,814	1,295	642	415	
Basim Taluq																							
Municipality of Basim	241	182	126	97	77	41	29	Not given.	...	89	882	460	218	115	(F)	
Other villages	8,116	4,704	3,292	1,861	1,290	625	380	Do.	...	416	...	Not given.	...			
Total	8,357	4,886	3,018	1,958	1,367	666	409	...	...	...	505	882	460	218		115
District Total	...	87	80	74	87	87	82	50	30,908	18,686	13,648	11,868	8,883	5,162	3,404	...	...	...	1,930	6,607	4,827	2,837	1,682

(A) In the Akola Municipality 2,569 voters are qualified by payment of Rs. 2 or more in taxes, 48 by payment of Rs. 25 or more as land revenue, 79 as graduates, etc., 20 as Magistrates, 38 as factory owners and 193 as income-tax payers.

In the other villages of the Akola Taluq 1,791 voters for the Taluq Board are qualified by payment of Jagia and Local Cess, 68 as Patels and Patwaris and 7 as Deshmukhs and Deshpandiyas.

(B) In the Balapur Taluq, 876 voters for the Taluq Board are qualified by payment of Jagia and Local Cess and 507 as Patels and Patwaris.

(C) In the Akot Municipality 98 voters are qualified by tax on professions and trades, 159 by scavenging tax and 7 as graduates.

In the other villages of the Akot Taluq 1,150 voters are qualified by payment of Jagia and Local Cess, 8 as Magistrates, 375 as Patels and Patwaris and 61 as Deshmukhs and Deshpandiyas.

(D) In the Mangrul Taluq 214 voters for the Taluq Board are qualified by payment of Jagia and Local Cess, 283 as Patels and Patwaris and 29 as Deshmukhs and Deshpandiyas.

(E) In the Municipality of Murtizapur 753 voters are qualified by payment of Rs. 2 or more as Municipal tax, 4 as graduates, etc., 129 as paying land revenue of Rs. 25 or more and 7 as Factory owners.

In the Karanja Municipality 514 voters are qualified by payment of Rs. 2 or more in taxes, 9 by payment of Rs. 25 or more as land revenue, 4 as graduates, etc., and 59 as Factory, etc., owners.

In the other villages of the Murtizapur Taluq 909 voters for the Taluq Board are qualified by payment of Jagia and Local Cess, 219 as Patels and Patwaris and 42 as Deshmukhs and Deshpandiyas.

(F) In the Basim Municipality 514 voters are qualified by payment of Rs. 2 or more as Municipal tax, 15 as graduates, and 7 as assessors.

In the other villages of the Basim Taluq 4,372 voters for the Taluq Board are qualified by payment of Jagia and Local Cess, 219 as Patels and Patwaris and 42 as Deshmukhs and Deshpandiyas.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).
STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Taluqs of the Akola District.

1	Agriculturists.														Non-agriculturists.				24				
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of						
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.
Akola Taluq.																							
Municipality of Akola	...	...	...	...	...	...	62	42	35	29	24	16	12	Not given.				43	903	606	355	253	(A)
Other villages	5	5	5	5	5	5	205	168	118	85	75	48	25	Do.				9	903	606	355	253	
Total	5	5	5	5	5	5	357	210	153	114	99	64	37	...				52	903	606	355	253	
Balapur Taluq.																							
All villages of Balapur Taluq	5	5	5	5	5	5	324	182	118	86	66	33	22	Not given.				7	Not given.				(B)
Akot Taluq.																							
Municipality of Akot	...	...	...	...	...	...	87	54	40	26	20	11	9	Not given.				18	269	122	56	32	(C)
Other villages	...	...	...	...	...	...	346	218	166	128	94	71	46	Do.				19	Not given.				
Total	...	...	...	...	...	...	433	272	206	154	114	82	55	...				37	269	122	56	32	
Mangrul Taluq.																							
All villages of Mangrul Taluq	4	4	4	4	4	4	123	62	39	25	21	10	7	Not given.				34	Not given.				(D)
Murtizapur Taluq.																							
Municipality of Murtizapur	...	...	...	...	...	...	19	17	14	12	10	4	2	Not given.				14	198	173	84	51	(E)
Municipality of Karanja	...	...	...	...	...	...	65	43	32	23	18	11	6	Do.				18	194	92	44	34	
Other villages	1	1	1	1	1	1	161	106	86	60	58	41	39	Do.				6	Not given.				
Total	1	1	1	1	1	1	245	166	132	105	86	56	40	...				38	392	265	128	85	
Basim Taluq.																							
Municipality of Basim	...	...	...	...	...	...	19	16	10	8	6	4	1	Not given.				19	152	75	40	24	(F)
Other villages	...	...	...	...	...	...	156	89	44	26	16	6	4	Do.				34	Not given.				
Total	...	...	...	...	...	...	175	105	54	34	22	10	5	...				53	152	75	40	24	
District Total	15	15	15	15	15	15	1,057	697	702	518	408	255	166	...				221	1,716	1,088	679	394	

(A) In the Akola Municipality 71 voters are qualified by payment of Rs. 2 or more in taxes, 11 by payment of Rs. 25 or more as Land Revenue, 2 as graduates, etc., 4 as Magistrates, 2 as Factory owners, and 33 as income-tax payers. In the other villages of the Akola taluq 67 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess.

(B) In the Balapur taluq 24 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess and 4 as Patels and Patwaris.

(C) In the Akot Municipality 31 voters are qualified by payment of tax on professions and trades and 33 by scavenging tax.

(D) In the other villages of the Akot taluq 59 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess, 2 as Magistrates, 5 as Patels and Patwaris, and 9 as Deshmukhs and Deshpandiyas.

(E) In the Mangrul Taluq 3 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess and 8 as Patels and Patwaris.

(F) In the Municipality of Murtizapur 139 voters are qualified by payment of Rs. 2 or more as Municipal taxes, 16 by payment of land revenue of Rs. 25 or more, and 1 as Factory owner.

In the Karanja Municipality 97 voters are qualified by payment of Rs. 2 or more in taxes by payment of Rs. 25 or more as Land Revenue, 2 as graduates, etc., and 10 as Patels and Patwaris.

STATEMENT I.—Showing distribution of Male population in Buldana District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.					Remarks.	
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.		Total.
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastoral.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
337,179	227,695	187,536	1,505	87,691	74,747	6,807	619	171,360	22,655	11,485	5,019	3,393	13,774	56,326	17,844	...	2,039	...	945	20,828	
Percentage on column 1.	68%	58%	...	26%	22%	2%	...	51%	7%	3%	2%	1%	4%	17%	5%	...	1%	...	...	6%	

NOTE.—The statistics in Statement I are not available for separate taluqs. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for separate taluqs.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT II.—Showing the distribution of the Male population of the Taluqs of the Buldana District according to Religion and Literacy.

	Total population of all creeds.	Musalman.	Hindus.	Animists.	Christians.	Other creeds	Literate adults.	Remarks.
1	2	3	4	5	6	7	8	9
Chikhli Taluq.								
Municipality of Buldana	2,037	408	1,555	2	35	37	Not given.	
Other villages	70,637	6,087	63,995	...	7	618	3,756	
Total	72,674	6,495	65,480	2	42	655	3,756	
Mehkar Taluq.								
All villages	70,858	4,392	65,698	17	30	721	2,790	No Municipality.
Malkapur Taluq.								
Municipality of Malkapur	6,463	2,274	3,998	...	9	182	Not given.	
Other villages	88,077	7,001	81,543	5	16	412	6,349	
Total	94,540	9,275	85,541	5	25	594	6,349	
Jalgaon Taluq.								
All villages	46,238	3,641	42,420	169	2	6	2,955	No Municipality.
Khangaon Taluq.								
Municipality of Khangaon	5,545	1,206	4,066	...	50	133	Not given.	
Municipality of Shegaon	6,290	923	5,297	1	30	39	Not given.	
Other villages	40,134	2,413	37,491	10	4	216	4,124	
Total	51,969	4,542	46,854	11	84	388	4,124	
District Total	387,170	28,485	305,903	204	183	2,364	20,828	

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the Taluqs of the Buldana District.

	Agriculturists.														Non-agriculturists.				Remarks.						
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of					Paying annual house-rent.					
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.		
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		
Chikhli Taluq.																									
Municipality of Buldana	71	51	37	27	23	14	9	Not given.				35	329	218	135	93	(A)	
Other villages	7,266	3,824	2,175	1,373	462	278	321	329	218	135	93	Do.	(A)	
Total	7,337	3,875	2,212	1,400	955	476	356	329	218	135	93	...	(A)	
Mehkar Taluq.																									
All villages of the Mehkar taluq.	14	14	11	11	11	6	4	7,426	3,994	2,331	1,509	1,082	552	344	Not given.				305	Not given.				(B)	
Malkapur Taluq.																									
Municipality of Malkapur	394	290	145	111	84	54	41	Not given.				95	1,829	888	411	236	(C)	
Other villages	8,309	4,821	3,144	2,165	1,570	854	541	301	1,829	888	411	236	Do.	(C)
Total	8,703	5,111	3,289	2,276	1,654	908	582	396	1,829	888	411	236	...	(C)
Jalgaon Taluq.																									
All villages of the Jalgaon taluq.	8	8	8	8	8	7	4	5,075	3,986	2,986	1,481	1,077	629	435	Not given.				244	Not given.				(D)	
Khamgaon Taluq.																									
Municipality of Khamgaon	220	159	115	88	71	53	44	Not given.				167	2,282	1,294	658	430	(E)	
Municipality of Shegaon	506	359	247	157	113	57	44	48	1,076	427	190	131	Do.	(E)
Other villages	6,274	3,204	1,914	1,295	901	478	296	132	1,721	848	561	...	Not given.	(E)
Total	7,053	3,722	2,269	1,540	1,085	588	384	347	3,358	1,721	848	561	...	(E)
District Total	24	24	21	21	21	15	10	36,604	18,683	12,087	8,208	5,653	3,159	2,032	1,648	5,516	2,897	1,394	696	...	(A), (B), (C), (D), (E)

(A) In the Buldana Municipality 339 voters are qualified by payment of taxes and 6 as pleaders.
 In the other villages of the Chikhli taluq 253 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess, 1 as Magistrate, 317 as Patels and Patwaris and 47 as Deshmukhs and Deshpandiyas.
 (B) In the Mehkar Taluq 437 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess, 2 as Magistrate, 593 as Patels and Patwaris and 7 as Deshmukhs and Deshpandiyas.
 (C) In the Malkapur Municipality 860 voters are qualified by payment of Rs. 8 or more as Municipal tax, 95 as income-tax payers, 100 by payment of Rs. 25 or more as Land Revenue, 20 as assessors etc., 9 as assessors and 4 as Magistrates.
 In the other villages of the Malkapur Taluq 724 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess, 3 as Magistrates, 238 as Patels and Patwaris and 26 as Deshmukhs and Deshpandiyas.
 (D) In the Jalgaon Taluq 649 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess, 24 as Patels and Patwaris and 19 as Deshmukhs and Deshpandiyas.
 (E) In the Khamgaon Municipality 948 voters are qualified by payment of Jaglia and Local Cess, 20 as factory owners and 167 as income-tax payers.
 In the other villages of the Khamgaon Taluq 1,294 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess and 42 as factory owners.

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918).

STATEMENT IV.—Showing the distribution of the male adult Mahomedan population according to Property in the Buldana District.

I	Agriculturists.								Non-agriculturists.								Remarks.							
	Paying as malguzar.				Paying as tenant or plot-holder.				With annual income of				Paying annual house-rent of											
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.		Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24		
Chikhli Taluq.																								
Municipality of Buldana	3	...	...	...	...	...	...	Not given.				4	37	19	8	5	(A)	
Other villages	294	188	118	77	59	48	30	Do.				27	Not given.					
Total	297	188	118	77	59	48	30	...	...	...	31	37	19	8	5			
Mehkar Taluq.																								
All villages of the Mehkar Taluq.	6	6	3	3	3	229	118	73	46	26	14	5	Not given.				26	Not given.				(B)
Malkapur Taluq.																								
Municipality of Malkapur	81	48	33	29	19	12	10	Not given.				16	673	268	104	64	(C)	
Other villages	304	157	114	75	48	22	12	Do.				24	Not given.					
Total	385	205	147	104	67	34	22	...	...	...	40	673	268	104	64			
Jaigaon Taluq.																								
All villages of the Jaigaon Taluq.	191	109	70	47	37	27	15	Not given.				6	Not given.				(D)
Khamgaon Taluq.																								
Municipality of Khamgaon	31	17	14	9	6	6	3	Not given.				19	433	206	83	56	(E)	
Municipality of Shegaon	26	12	8	5	5	1	1	Do.				7	93	54	32	28		
Other villages	227	128	85	60	41	24	15	...				4	Not given.					
Total	284	157	107	74	52	31	19	...	...	...	30	526	260	115	84			
District Total	7	7	4	4	4	1	1,386	777	515	348	241	148	91	...	...	...	183	1,336	547	227	153		

(A) In the Buldana Municipality 21 voters are qualified by the payment of taxes. In the other villages of the Chikhli Taluq 28 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess, 1 as Magistrate, 6 as Patels and Patwaris and 3 as Deshmukhs and Deshpandiyas.
 (B) In the other villages of the Mehkar Taluq 11 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess, 1 as Magistrate and 6 as Patels and Patwaris.
 (C) In the Malkapur Municipality 16 voters are qualified by payment of income tax, 28 by payment of Rs. 25 or more as Land Revenue, 2 as graduates, etc., 3 as assessors and 1 as Magistrate. In the other villages of the Malkapur Taluq 28 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess, 1 as Magistrate and 6 as Patels and Patwaris.
 (D) In the other villages of the Jaigaon Taluq 34 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess and 3 as Patels and Patwaris.
 (E) In the Khamgaon Municipality 22 voters are qualified by payment of Jaglia and Local Cess, 3 as Factory owners and 15 as income-tax payers. In the Shegaon Municipality 20 voters are qualified by payment of Jaglia and Local Cess and 10 as Factory owners. In the other villages of the Khamgaon Taluq 29 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess and 2 as Patels and Patwaris.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

STATEMENT I.—Showing the distribution of Male population in the Yeotmal District by Occupation and by Literacy.

Total male population.	Male workers.	Male adults.	Distribution by occupation of male workers in column 2.												Literate male adults.					Remarks.	
			Agricultural occupations.						Non-agricultural occupations.						Hindus.	Animists.	Musalmans.	Christians.	Other creeds.		Total.
			Landlords and rent receivers.	Ordinary cultivators.	Farm servants and field labourers.	Pastoral.	Miscellaneous.	Total.	Industries.	Trade.	Professions and liberal arts.	Domestic service.	Miscellaneous.	Total.							
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22
365,326	249,527	204,383	2,154	80,189	99,605	9,858	459	192,266	23,663	12,137	4,330	2,177	14,954	57,261	12,205	48	1,953	..	668	14,874	
Percentage on column 1.	68%	56%	1%	22%	27%	3%	..	54%	6%	3%	1%	1%	4%	16%	3%	..	1%	..	..	4%	

Note.—The statistics in Statement I are not available for separate taluqs. Percentages are therefore given, which, if applied to column 2 of Statement II, will give approximate figures for separate taluqs.

STATISTICS ABSTRACTED FROM THE TABLES OF LAST CENSUS (1911).

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STATEMENT II.—Showing the distribution of the Male population of the Taluqs of the Yeotmal District according to Religion and Literacy.

	Total population of all creeds.	Musalmans.	Hindus.	Animists.	Christians.	Other creeds.	Literate adults.	Remarks.
1	2	3	4	5	6	7	8	9
Yeotmal Taluq.								
Municipality of Yeotmal	7,249	967	6,007	104	50	121	Not given.	
Other villages	69,064	2,895	53,200	12,481	2	485	4,053	
Total ..	76,313	3,863	59,207	12,585	52	606	4,053	
Darwaha Taluq.								
All villages	91,670	6,941	82,349	1,746	6	428	3,758	No Municipality.
Kelapur Taluq.								
All villages	65,120	2,237	52,109	10,521	43	210	2,269	No Municipality.
Pusad Taluq.								
All villages	76,715	5,987	70,250	...	38	440	2,453	No Municipality.
Wun Taluq.								
All villages	55,508	1,752	44,232	9,350	7	107	1,673	No Municipality.
District Total	305,328	20,780	308,407	34,202	148	1,701	14,874	

STATEMENT III.—Showing the distribution of Male Adult population according to Property in the Taluqs of the Yeotmal District.

	Agriculturists.														Non-agriculturists.								Remarks.				
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of				Paying annual house-rent of								
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.	Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.					
	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24			
Yeotmal Taluq.																											
Municipality of Yeotmal	5	5	4	4	4	4	4	164	103	78	61	44	32	19	Not given.	127	828	652	478	364	In Yeotmal Municipality 82 voters qualified as tax-payers, 20 as paying land-revenue of Rs. 24 or more, 127 as income-tax payers, 34 as graduates and 6 as magistrates. In the other villages of Yeotmal taluq 503 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess, 224 as Patels and Patwaris and 25 as Deshmukhs and Deshpandiyas.						
Other villages	61	60	58	56	53	45	43	2,989	1,800	1,206	891	662	404	255	Do.	345	Not given.										
Total	66	65	62	60	57	49	47	3,153	1,903	1,284	952	706	436	274	472	828	652						478	364
Darwha Taluq.																											
All villages of Darwha Taluq	68	67	66	66	63	59	52	5,150	2,829	1,770	1,196	858	448	294	Not given.	384	Not given.	In Darwha taluq 440 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess, 450 as Patels and Patwaris and 45 as Deshmukhs and Deshpandiyas.									
Kelapur Taluq.																											
All villages of Kelapur Taluq	87	87	87	84	82	81	80	1,971	934	568	393	293	143	102	Not given.	191	Not given.	In Kelapur taluq 152 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess, 430 as Patels and Patwaris and 4 as Deshmukhs and Deshpandiyas.									
Pusad Taluq.																											
All villages of Pusad Taluq	65	58	51	39	37	34	32	5,289	2,439	1,244	783	503	237	144	Not given.	231	Not given.	In Pusad Taluq 521 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess, 490 as Patels and Patwaris and 21 as Deshmukhs and Deshpandiyas.									
Wun Taluq.																											
All villages of Wun Taluq	73	73	71	71	71	71	64	2,919	1,233	627	390	244	99	59	Not given.	90	Not given.	In Wun Taluq 315 voters for the Taluq Board are qualified by payment of Jaglia and Local Cess, 2 as Magistrates, 220 as Patels and Patwaris and 31 as Deshmukhs and Deshpandiyas.									
District Total	808	850	887	820	810	784	275	18,482	9,388	5,498	3,714	2,806	1,868	878	...	...	...	1,898	828	652	478	364		

STATISTICS PREPARED FROM INFORMATION SUPPLIED BY DEPUTY COMMISSIONERS (1918.)

STATEMENT IV.—Showing the distribution of the Male adult Mahomedan population according to Property in the Taluqs of the Yeotmal District.

	Agriculturists.														Non-agriculturists.				Remarks.					
	Paying as malguzar.							Paying as tenant or plot-holder.							With annual income of		Paying annual house-rent of							
	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 10 or more.	Rs. 20 or more.	Rs. 30 or more.	Rs. 40 or more.	Rs. 50 or more.	Rs. 75 or more.	Rs. 100 or more.	Rs. 250 or more.	Rs. 500 or more.	Rs. 750 or more.	Rs. 1,000 or more.		Rs. 12 or more.	Rs. 24 or more.	Rs. 48 or more.	Rs. 72 or more.	
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	
Yeotmal Taluq.																								
Municipality of Yeotmal	6	6	4	4	4	1	...	Not given.				20	106	84	54	32	In Yeotmal Municipality 88 voters are qualified as tax-payers, 20 as income-tax payers and 2 as graduate.
Other villages	12	12	11	11	11	11	11	96	56	36	28	23	17	10	do.				28	Not given.				In the other villages of Yeotmal Taluq. 16 voters for the Taluq Board are qualified by payment of Jagia and Local Cess, 9 as Patels and Patwaris and 3 as Deshmukhs and Deshpandiyas.
Total	12	12	11	11	11	11	11	102	62	40	32	27	18	10	...	...	...	48	106	84	54	32	
Darwha Taluq.																								
All villages of Darwha Taluq	7	7	7	7	7	7	5	285	163	119	73	49	32	26	Not given.				62	Not given.				In Darwha Taluq 34 voters for the Taluq Board are qualified by payment of Jagia and Local Cess, 28 as Patels and Patwaris and 5 as Deshmukhs and Deshpandiyas.
Kelapur Taluq.																								
All villages of Kelapur Taluq	4	4	4	4	4	4	4	63	37	23	17	14	8	6	Not given.				19	Not given.				In Kelapur Taluq 8 voters for the Taluq Board are qualified by payment of Jagia and Local Cess and 43 as Patels and Patwaris.
Pusad Taluq.																								
All villages of Pusad Taluq	18	18	18	12	12	12	12	228	98	60	40	34	18	11	Not given.				24	Not given.				In Pusad Taluq 26 voters for the Taluq Board are qualified by payment of Jagia and Local Cess and 13 as Patels and Patwaris.
Wun Taluq.																								
All villages of Wun Taluq	6	6	6	6	6	6	5	50	26	13	7	4	3	1	Not given.				5	Not given.				In Wun Taluq 4 voters for the Taluq Board are qualified by payment of Jagia and Local Cess and 14 as Patels and Patwaris.
District Total	47	47	46	40	40	40	27	728	386	255	169	128	79	54	—	—	—	158	106	84	54	32		

Appendix V

Statement showing the average area in acres on which the minimum rental qualifying for the proposed Franchise is paid.

District.	Minimum proposed for cultivator's franchise.	Incidence of tenant's rent per acre.	Average area.	Remarks.
1	2	3	4	5
	Rs.	Rs. a. p.	Acres.	
Jubbulpore ...	50	1 5 4	37½	
Damoh ...	50	1 2 3	44	
Saugor ...	50	1 6 0	36	
Seoni ...	40	0 10 8	60	
Mandla ...	No franchise proposed.			
Raipur ...	30	0 12 5	39	
Bilaspur ...	30	0 12 9	38	
Drug ...	30	0 12 9	38	
Hoshangabad ...	50	1 4 11	38	
Nimar ...	40	0 13 6	47	
Narsinghpur ...	50	1 12 5	28	
Chhindwara ...	40	0 12 5	52	
Betul ...	30	0 6 10	70	
Nagpur ...	50	1 6 10	35	
Wardha ...	50	1 4 3	40	
Chanda ...	30	0 11 2	43	
Bhandara ...	40	1 0 0	40	
Balaghat ...	40	1 2 8	34	
Amraoti ...	50	1 6 2	36	
Akola ...	50	1 3 4	42	
Buldana ...	50	1 0 9	48	
Yeotmal ...	40	0 10 0	64	

Appendix VI

Urban and Rural Constituencies

SUMMARY OF PROPOSALS

Division.	Constituency.	Population.	Proposed electorate.	Percentage of col. 4 of col. 3.	Number of members.
1	2	3	4	5	6
Jubbulpore (Population 2,025,209)	General Urban ...	101,980	2,185	2'1	1
	Jubbulpore Urban ...	100,651	2,725	2'7	1
	Jubbulpore Rural 1 ...	258,673	2,865	1'1	1
	Jubbulpore Rural 2 ...	370,756	2,289	'6	1
	Damoh Rural ...	316,005	2,745	'8	1
	Saugor Rural (<i>Plural</i>) ...	495,502	4,815	'9	2
	Seoni Rural ...	381,642	3,195	'8	1
Chhattisgarh (Population 2,245,703)	General Urban ...	72,693	2,157	2'9	1
	Raipur Rural 1 ...	503,706	2,617	'5	1
	Raipur Rural 2 ...	313,846	2,343	'7	1
	Bilaspur Rural ...	774,067	2,917	'3	1
	Drug Rural ...	581,397	4,616	'7	1
Nerbudda (Population 2,011,391)	General Urban ...	108,122	4,499	4'1	1
	Hoshangabad Rural 1 ...	257,110	2,827	1'0	1
	Hoshangabad Rural 2 ...	179,873	3,425	1'9	1
	Nimar Rural ...	346,690	4,035	1'1	1
	Narsinghpur Rural 1 ...	142,852	2,482	1'0	1
	Narsinghpur Rural 2 ...	167,480	1,867	1'1	1
	Chhindwara Rural ...	426,332	2,530	'5	1
	Betul Rural ...	382,932	2,341	'6	1
Nagpur (Population 3,033,319)	General Urban ...	101,717	3,494	3'4	1
	Nagpur and Kamptee Urban (<i>Plural</i>) ...	158,000	4,345	2'7	2
	Nagpur Rural (<i>Plural</i>) ...	673,701	6,979	1'0	3
	Wardha Rural (<i>Plural</i>) ...	422,410	4,170	'9	2
	Chanda Rural ...	535,553	2,279	'4	1
	Bhandara Rural (<i>Plural</i>) ...	760,416	3,069	'4	2
	Balaghat Rural ...	381,520	2,833	'7	1
Berar (Population 3,012,927)	General Urban 1 ...	78,570	3,603	4'5	1
	General Urban 2 ...	104,878	4,600	4'3	1
	Amraoti Rural (<i>Plural</i>) ...	765,327	11,072	1'4	3
	Akola Rural 1 ...	235,129	3,651	1'1	1
	Akola Rural 2 ...	236,841	3,531	1'4	1
	Akola Rural 3 ...	251,668	2,525	1'0	1
	Buldana Rural 1 ...	362,863	3,679	1'0	1
	Buldana Rural 2 ...	268,023	3,196	1'1	1
	Yeotmal Rural 1 ...	376,233	2,487	'6	1
	Yeotmal Rural 2 ...	333,455	2,678	'8	1
Total for 37 Constituencies ...		12,328,609	127,696	1'0	45
Total for Excluded Areas ...		1,646,670	...	...	2
Grand Total for Central Provinces Districts and Berar.		13,975,279	...	...	47

Urban Constituencies

City or Town.	Total population.	Male population.	Income-tax payers.	Landlords paying Rs. 100 or more land revenue.	Tenants and ryots assessed to rent or revenue which qualifies for rural vote.	Persons occupying houses of a rental of Rs. 48 or more per annum.	Total of columns 5, 6 and 7.	No. of members.	Remarks.
1	2	3	4	5	6	7	8	9	10
Jubbulpore ...	100,651	56,035	274	199	102	2,424	2,725	1	} Jubbulpore Division.
Murwara, Damoh, Saugor, Seoni, and Mandla.	101,980	52,615	648	278	240	1,667	2,185	1	
Raipur, Dhamtari, Bilaspur, and Drug.	72,693	36,780	299	327	49	1,781	2,157	1	Chhattisgarh Division.
Hoshangabad, Harda, Seoni-Malwa, Khandwa, Burhanpur, Narsinghpur, Gadawara, Chhindwara, and Betul.	108,122	55,858	671	269	676	3,554	4,499	1	Nerbudda Division.
Nagpur and Kamptee ...	158,000	82,488	527	251	311	3,783	4,345	2	} Nagpur Division.
Umrer, Wardha, Hinganghat, Arvi, Chanda, Warora, Bhandara, Gondia and Balaghat.	101,717	51,983	675	591	364	2,539	3,494	1	
Amraoti, Ellichpur and Yeotmal.	78,570	41,100	621	7	511	3,085	3,603	1	} Berar Division.
Akola, Akot, Murtizapur, Karanja, Basim, Buldana, Malkapur, Khamgaon and Shegaon.	104,878	55,551	923	...	869	3,731	4,600	1	
Total for Urban Areas...	826,611	432,410	4,638	1,922	3,132	22,564	27,608	Nine members.	

Alternative Scheme.

Jubbulpore ...	100,651	56,035	274	199	102	2,424	2,725	1	
Saugor ...	45,908	24,330	166	105	169	517	791	1	
Raipur ...	35,335	18,038	137	169	5	1,155	1,329	1	
Khandwa and Burhanpur...	52,039	27,067	353	100	231	1,860	2,191	1	
Nagpur and Kamptee ...	158,000	82,488	527	251	311	3,783	4,345	2	
Amraoti ...	40,610	21,481	377	...	199	2,099	2,298	1	
Akola ...	27,183	14,587	238	...	163	1,241	1,404	1	
Total for Urban Areas ...	459,726	244,026	2,072	824	1,180	13,079	15,083	Eight members.	

NOTE.—The population figures for Nagpur, Akola, Burhanpur, Ellichpur and Kamptee are those of the re-census subsequent to the ordinary census of 1911.

Rural Constituencies

Jubbulpore Division.

District.	Area.	Total population.	Landlords paying Rs. 10 or more land revenue.	Tenants and ryots assessed to Rs. 50 or more rent or revenue.	Income-tax payers.	Total of columns 4, 5 and 6.	Total electorate for constituency.	Proposed constituencies.
1	2	3	4	5	6	7	8	9
Jubbulpore.	Jubbulpore Tahsil.	161,206	161	832	40	1,033	2,865	This district can conveniently provide two constituencies, and Two members are proposed; one for the Jubbulpore and Patan Tahsils, the second for the other two tahsils.
	Patan Tahsil...	97,467	257	1,526	49	1,832		
	Murwara Tahsil.	165,887	225	325	46	596	2,289	
	Sihora Tahsil.	199,437	346	1,190	70	1,606		
	Sihora Municipality.	5,432	13	28	46	87		
	District Total.	629,429	1,002	3,901	251	5,154	...	
Damoh.	Damoh Tahsil.	193,856	290	1,134	166	1,590	2,745	A small district. One member is proposed.
	Hatta Tahsil ...	122,149	253	859	43	1,155		
	District Total.	316,005	543	1,993	209	2,745	...	
Saugor.	Saugor Tahsil.	144,782	380	1,451	100	1,931	4,815	It is impossible to arrange compact constituencies in this district. A plural constituency is therefore recommended, with Two members.
	Khurai Tahsil.	104,202	160	536	63	759		
	Khurai Municipality.	6,868	17	24	27	68		
	Rehli Tahsil ...	152,076	290	1,225	72	1,587		
	Deori Municipality.	5,739	24	26	8	58		
	Banda Tahsil.	81,835	113	241	58	412		
District Total.	495,502	984	3,503	328	4,815	...		
Seoni.	Seoni Tahsil...	210,966	401	*1,694	75	2,170	3,195	A small district. One member will be suitable. It is suggested that a payment of Rs. 40 should qualify a tenant or ryot for a vote.
	Lakhnadon Tahsil.	170,676	231	*680	114	1,025		
	District Total.	381,642	632	2,374	189	3,195	...	
Divisional Total ...		1,822,578	3,161	11,771	977	15,909	Six members.	

*Paying Rs. 40 or more.

Rural Constituencies

Chhattisgarh Division

District.	Area.	Total population.	Landlords paying Rs. 100 or more land revenue.	Tenants and ryots assessed to Rs. 30 or more rent or revenue.	Income-tax payers.	Total of columns 4, 5 and 6.	Total electorate for constituency.	Proposed constituencies.
1	2	3	4	5	6	7	8	9
Raipur.	Raipur Tahsil.	217,440	354	883	76	1,313	2,617	This district can conveniently provide two constituencies. The Zamindari areas which are extensive in the Mahasamund Tahsil are excluded. Assessments are low a payment of Rs. 30 by a tenant or ryot should qualify for the vote. Two members are proposed—one for the Raipur and Baloda Bazar Tahsils, the second for the other two tahsils.
	Baloda Bazar Tahsil.	286,266	370	800	134	1,304		
	Dhamtari Tahsil.	210,912	217	865	79	1,161		
	Mahasamund Tahsil.	102,934	587	351	244	1,182		
	District Total.	817,552	1,528	2,899	533	4,960		
Bilaspur.	Bilaspur Tahsil.	252,043	438	413	155	1,006	2,917	As in Raipur, Zamindari areas are excluded and a payment of Rs. 30 by a tenant or ryot is taken to qualify for vote. The district is large but backward. One member will suffice.
	Janjgir Tahsil.	376,829	452	183	261	896		
	Mungeli Tahsil.	145,195	470	415	130	1,015		
	District Total.	774,067	1,360	1,011	546	2,917		
Drug.	Drug Tahsil ...	213,675	505	1,222	72	1,799	4,616	Here also Zamindari areas are excluded and a payment of Rs. 30 by a tenant or ryot will qualify him for a vote. One member is proposed.
	Sanjari Balod Tahsil.	158,961	313	514	59	886		
	Bemetara Tahsil.	208,755	565	1,210	156	1,931		
	District Total.	581,391	1,383	2,946	287	4,616		
Divisional Total ...		2,173,010	4,271	6,856	1,366	12,493	Four members.	

Rural Constituencies

Appendix VI

Nerbudda Division

District.	Area.	Total population	Landlords paying Rs. 100 or more land revenue.	Tenants and ryots assessed to Rs. 50 or more rent or revenue.	Income-tax payers.	Total of columns 4, 5 and 6.	Total electorate for constituency.	Proposed constituencies.
1.	2.	3.	4.	5.	6.	7.	8.	9.
Hoshangabad.	Hoshangabad Tahsil.	122,663	240	1,072	43	1,355	2,827	This district can be conveniently divided. Two members are proposed, one for the Hoshangabad and Sohagpur tahsils and the second for the other two tahsils.
	Sohagpur Tahsil.	130,635	264	1,081	121	1,466		
	Pachmarhi Municipality and Cantonment.	3,822	...	3	3	6		
	Harda Tahsil.	121,574	191	2,182	75	2,448	3,425	
	Seoni-Malwa Tahsil.	58,299	129	810	38	977		
District Total	436,983	824	5,148	280	6,252	...		
Nimar.	Khandwa Tahsil.	183,744	462	*1,499	196	2,157	4,035	A good district, but One member will suffice. A payment of Rs. 40 will qualify a tenant or ryot for the vote.
	Burhanpur Tahsil.	84,946	170	*815	87	1,072		
	Harsud Tahsil.	78,000	53	*721	32	806		
	District Total	346,690	685	3,035	315	4,035		
Narsinghpur.	Narsinghpur Tahsil.	139,448	370	1,978	57	2,405	2,482	A small district, but the electorate is substantial and two constituencies can be conveniently formed. Two members are proposed—one for each tahsil.
	Chhota Chhindwara Municipality.	3,404	12	144	21	77		
	Gadawara Tahsil.	167,480	360	1,411	96	1,867	1,867	
	District Total	310,332	742	3,433	174	4,349	...	
Chhindwara.	Chhindwara Tahsil.	274,845	277	*322	97	696	2,530	A backward district. The Zamindari area will be excluded and a payment of Rs. 40 will qualify a tenant or ryot for the vote. One member is proposed.
	Sausar Tahsil.	138,987	143	*686	96	925		
	Sausar Municipality.	5,442	5	*50	12	67		
	Pandhurna Municipality.	7,058	24	*66	12	102		
	Amwara Tahsil.	...	267	*394	79	740		
District Total	426,332	716	1,518	296	2,530	...		
Betul.	Betul Tahsil ...	143,059	145	†815	60	1,020	2,341	A small backward district. One member will suffice. A payment of Rs. 30 will qualify a tenant or ryot for the vote.
	Mulai Tahsil.	154,525	157	†705	118	980		
	Bhainsdeh Tahsil.	85,368	75	†225	41	341		
	District Total	382,952	377	1,745	219	2,341		
Divisional Total ...		1,903,269	3,344	14,879	1,284	19,507	Seven members.	

* Paying Rs. 40 or more.
† Paying Rs. 30 or more.

Rural Constituencies

Appendix VI

Nagpur Division.

District.	Area.	Total population.	Landlords paying Rs. 100 or more land revenue.	Tenants and ryots assessed to Rs. 50 or more rent or revenue.	Income-tax payers.	Total of columns 4, 5 and 6.	Total electorate for constituency.	Proposed constituencies.
1	2	3	4	5	6	7	8	9
Nagpur...	Nagpur Tahsil.	139,965	143	1,159	40	1,342	6,979	It is impossible to arrange compact constituencies in this district. A plural constituency is therefore recommended with Three members.
	Ramtek Tahsil.	135,341	146	1,125	63	1,334		
	Ramtek Municipality.	9,806	25	31	21	77		
	Saoner Tahsil.	107,132	293	918	92	1,303		
	Saoner Municipality.	6,636	8	47	16	71		
	Khapa Municipality.	8,233	3	21	37	61		
	Kalmeshwar Municipality.	5,575	12	63	18	93		
	Katol Tahsil...	137,924	346	811	81	1,238		
	Mowad Municipality.	4,719	8	36	10	54		
Umer Tahsil.	127,300	163	1,203	40	1,406	6,979		
District Total.	673,701	1,147	5,414	418	6,979	...		
Wardha.	Wardha Tahsil.	155,952	410	1,189	175	1,774	4,170	Compact constituencies impossible. A plural constituency is therefore recommended with Two members.
	Deoli Municipality.	5,575	7	38	16	61		
	Pulgaon Municipality.	5,466	1	6	25	32		
	Hingangaht Tahsil.	101,147	169	852	79	1,100		
	Arvi Tahsil.	154,270	286	789	128	1,203		
	District Total.	422,410	873	2,874	423	4,170		
Chanda.	Chanda Tahsil.	134,660	68	*288	45	401	2,279	A backward district The Zamindari areas are recommended for exclusion from the electoral scheme. A franchise is proposed for tenants and ryots paying Rs. 30 or more. One member proposed for the whole district.
	Brahapur Tahsil.	150,818	118	*479	58	655		
	Garchioli Tahsil.	97,705	74	*176	49	299		
	Warora Tahsil.	152,372	153	*639	132	924		
	District Total.	535,555	413	1,582	284	2,279		
Bhandara.	Bhandara Tahsil.	213,431	253	† 1,093	74	1,420	3,069	A well-developed district with a large population. The electorate is small relatively to the importance of the district. Settlement is now in progress which will increase the number of Rs. 40 payers considerably. Two members are therefore proposed. A plural constituency is here also necessary as no convenient sub-division is possible.
	Pauni Municipality.	10,222	28	† 45	11	84		
	Tumsar Municipality.	4,378	3	† 36	24	63		
	Gondia Tahsil.	332,430	325	† 428	105	858		
	Sakoli Tahsil...	199,955	179	† 307	158	644		
District Total.	760,416	788	1,909	372	3,069	...		
Balaghat.	Balaghat Tahsil.	276,231	267	† 710	53	1,030	2,833	An average district for which One member will be suitable. As in Bhandara the payment of Rs. 40 by a tenant or ryot will qualify him for the vote.
	Baihar Tahsil...	105,289	41	† 62	28	131		
	Waseoni Tahsil.	...	479	† 1,074	119	1,672		
	District Total.	381,520	787	1,846	200	2,833		
Divisional Total	2,773,602	4,006	13,625	1,697	19,330	Nine members.		

* Paying Rs. 30 or more.
† Paying Rs. 40 or more.

Rural Constituencies

Appendix VI

Berar Division.

District.	Area.	Total population.	Landlords paying Rs. 100 or more land revenue.	Holders of survey numbers paying Rs. 50 or more revenue.	Income-tax payers.	Total of columns 4, 5 and 6.	Total electorate for constituency.	Proposed constituencies.
1	2	3	4	5	6	7	8	9
Amraoti.	Amraoti Taluq	148,562	5	2,049	370	2,424		It is impossible to arrange compact constituencies in this large district. A plural constituency with Three members is proposed.
	Chandur Taluq.	204,133	7	1,686	457	2,150		
	Morsi Taluq...	154,144	6	1,736	333	2,075		
	Ellichpur Taluq.	128,954	2	1,667	240	1,909		
	Daryapur Taluq.	129,534	16	2,079	419	2,514	11,072	
	District Total	765,327	36	9,217	1,819	11,072	...	
Akola.	Akola Taluq ..	130,891	9	1,881	192	2,084		Another large district. It can be conveniently subdivided. Three members are proposed, one for the Akola and Murtizapur taluqs, a second for Balapur and Akot taluqs, and the third for the Mangrul and Basim taluqs.
	Murtizapur Taluq.	104,238	1	1,449	117	1,567	3,651	
	Balapur Taluq.	111,550	6	1,167	189	1,362		
	Akot Taluq ..	125,291	2	1,955	212	2,169	3,531	
	Mangrul Taluq.	95,130	23	561	226	810		
	Basim Taluq ..	156,538	0	1,290	416	1,715	2,525	
District Total	723,638	50	8,305	1,352	9,707	...		
Jalgaon.	Chikhli Taluq ..	141,813	2	932	321	1,255		Two members proposed, one for the Chikhli, Mekhar and Khangaon taluqs, the second for the other two taluqs.
	Mekhar Taluq	142,067	4	1,082	305	1,391		
	Khangaon Taluq.	78,083	...	901	132	1,033	3,679	
	Malkapur Taluq.	176,651	...	1,570	301	1,871		
	Jalgaon Taluq..	91,372	4	1,077	244	1,325	3,196	
	District Total	630,886	10	5,562	1,303	6,875	...	
Yeotmal.	Yeotmal Taluq	137,366	43	*891	345	1,279		Two members proposed, one for the Yeotmal, Kelapur and Wun Taluqs, the second for the other two taluqs. A payment of Rs. 40 will qualify a tenant or ryot for a vote.
	Kelapur Taluq.	130,797	80	*393	191	664		
	Wun Taluq ...	108,070	64	*390	90	544	2,487	
	Darwha Taluq.	181,281	52	*1,196	384	1,632		
	Pusad Taluq..	152,174	32	*783	231	1,046	2,678	
	District Total	709,688	271	3,653	1,241	5,165	...	
Divisional Total ...		2,829,539	367	26,737	5,715	32,819	Ten members.	

* Paying Rs. 40 or more.

at Nagpur, Saturday, December 14th, 1918.

Present

Sir F.C. Sly, K.C.S.I., I.C.S. (Deputy Chairman)

W. M. Hailey, Esq., C.S.I., C.I.E., I.C.S.

The Hon'ble Babu Surendra Nath Bannorjee

Sahibzada Aftab Ahmad Khan, M.A., M.L.A.

The Hon'ble Mr. M.N. Hogg.

The Hon'ble Mr. Srinivasa Sastri.

The Franchise Committee met the Chief Commissioner of the Central Provinces (The Hon'ble Sir Benjamin Robertson, K.C.M.G., K.C.S.I., C.I.E., I.C.S.) to discuss the following questions:-

1. The possibility of extending the franchise in rural areas so as to give a vote to rural traders with an income below the income tax level.
2. The lowering of the urban franchise to cover house-rent of Rs.36 per annum.
3. The question whether owners as well as occupiers should not be included under (4) of paragraph 14 of the Administration's note.
4. Whether the urban qualification should not also apply to the small municipal towns included in rural constituencies.
5. As an alternative, to exclude the small municipal towns from the rural constituencies and to include them in the divisional urban groups. Or the alternative scheme of separate constituencies for large towns.
6. The addition of a separate educational standard (e.g., nonstudent matriculates or graduates) as a franchise qualification.
7. The proposal to give a vote to all landholders in the Central Provinces and to all watandar patels holding office and registered deshmukhs and deshpandias in Berar.

8. The conversion of the proposed plural constituencies into single member constituencies, either by (a) accepting unequal constituencies with the taluk as a unit or (b) dividing taluks where necessary.

9. Whether the proportion of members allotted to Berar (15 out of 47) is adequate to its importance.

10. The abolition of the existing privilege of a separate electorate for large landlords, and the substitution of one representative of zamindars and hereditary title-holders.

11. The question of separate electorates for Muhammadans for 15 per cent of the Indian elected seats, in accordance with the Lucknow compact of the Congress-Muhammads accord.

12. The question of separate electorates, instead of nomination, for :-

- (a) Europeans and Anglo-Indians
- (b) Mining
- (c) Factories
- (d) Commerce.

13. Whether the number of nominated official members is adequate to provide for the needs of the Grand Committee and for Select Committees on Bills.

14. The engagement of the Council in order to give effect to any of the above questions that may be accepted.

15. The question whether a subject of a Native State should be allowed a vote or whether the qualification should be limited to British subjects. The special position of Berar in this respect.

16. The method of preparation of the electoral roll, e.g., whether it should be restricted to applicants for the vote.

17. The residential qualification for candidates prescribed in paragraph 17 of the Administration's note.

Question No. 1.

As regards rural traders, the Chief Commissioner said that by clause 33 of the new Local Self-government Bill it was intended to impose a rate based on incomes of Rs.500 and above. The standard of Rs.500 had actually been adopted in Amroti and other areas would probably adopt the same standard. The Local Administration would propose that persons who paid this rate on incomes of Rs.500 or above should be qualified to vote.

Question No. 2.

The Chief Commissioner said that he was quite prepared to accept the proposal to lower the urban qualification to Rs.36. This was quite justified by the level of intelligence in the towns. It was possible to manage elections better in the towns and this facilitated the adopting of a low franchise.

Question No. 3.

The Chief Commissioner explained that paragraph 14(4) of the Administration's note was intended to apply to owners as well as occupiers. It was owing to a mere drafting slip that it did not ^{include owners,} ~~do so.~~

Question No. 4.

Sir Frank Sly stated that in other provinces separate qualifications had been proposed for rural and urban voters. The Committee understood that the qualifications in clauses 1, 2 and 3 of para 14 were intended to be common to both rural and urban voters; while that in clause 4 applied to urban voters only. The question arose whether men living in small towns or rural areas who paid the rents mentioned in that clause should not have a vote.

The Chief Commissioner said he had no objection to their getting votes; it would make little difference to the size of the electorates.

Question No. 5.

He would prefer to leave the small towns in the rural constituencies. There was really nothing urban about them.

He preferred the first alternative in his scheme to the second. His aim was to teach the rural man what his vote meant. He preferred to have the urban element kept apart and to give the rural men experience in their own electorates. The big towns of 100,000 population and over could form separate constituencies. Saugor was a backward place. They were now asking for a grant to keep the municipality going. It was not a live town and did not deserve a vote. Amraoti had a population of 40,000. Possibly if Berar is given another vote the Local Administration might consider giving a separate seat to Amraoti, but in his opinion Jabalpur and Nagpur-Kamptee were really the only large towns.

Question No. 6.

The Chief Commissioner was of opinion that the only way of dealing with the Hindu joint family was to give one vote to the manager.

Sir Frank Sly suggested that if a vote was given to non-student matriculates this might help the younger members of a joint family.

The Chief Commissioner personally was opposed to this proposal though he saw that the Committee might be forced to accept it in order to meet the claims of younger members of joint families.

Question No. 7.

The Chief Commissioner thought that there might be a few zamindars who would be left out on the ordinary franchise but they would be very few. One objection to giving them a vote as such was that it would give rise to other claims. Their position certainly justified their having votes. If they got the privilege, claims might be received from school masters, etc. He was prepared to accept the proposal.

at a vote should be given to all the classes mentioned in this section.

Question No. 8.

Sir Frank Sly said that in other provinces single-member constituencies had been proposed.

The Chief Commissioner said that he accepted single-member constituencies with much pleasure. He would be prepared to agree to treat the tahsil as the unit. This would make the constituencies unequal, but that was not a matter of the moment.

Question No. 9.

Sir Frank Sly said that strong claims for extra representation had been set up by Berar.

The Chief Commissioner conceded that Berar ought to get a little more. He would agree to one or two more members.

Question No. 10.

Sir Frank Sly said that it had been suggested that the landed interests might be alienated if they were deprived of a privilege which they possessed.

The Chief Commissioner did not agree with this argument. The Council had only been in existence for four years and there had been great difficulties in getting an electorate. That reason a concession had been given to title-holders and an arbitrary limit of Rs. 3,000 had been fixed. In his opinion they had no claim to be separately represented and he would prefer not to have a separate landlord electorate. He wished to start clear of complications and merely have a simple general electorate. He did not think the landlords should be treated as having any established rights.

Question No. 11.

The Chief Commissioner said that the Muhammadan population was extremely scattered and in rural areas hardly existed. The chief Muhammadan element was to be found in a few towns and it would be very difficult to get an electorate. The Morley-Minto pledge was ignored when the Local

council was constituted for this reason. In Burhanpur there was an important Borah settlement but outside it there would hardly be 20 Muhammadan voters.

Mr. Aftab said that in 1906 the Government of India decided that Muhammadans required special representation.

The Chief Commissioner quite accepted that decision.

Mr. Aftab said in 1916 the compact had been made between the two communities.

The Chief Commissioner said that he would accept separate representation at once if it was decided that it must be applied in the Central Provinces. The question was what the representation should be. Fifteen per cent gave quite four times the representation to which the Muhammadans were entitled and some of the constituencies would be very small. Nobody in the Central Provinces had during his time asked for separate constituencies except one Borah pleader from Burhanpur who could get no one to support him. If the pledge applied to the Central Provinces they would have separate representation, but in certain instances the result would be ridiculous. Four seats must be given to the Central Provinces and three to Berar, making seven. Personally he did not think the Muhammadans ought to have three times the representation to which they were entitled, but if he was told to accept it of course he must do so. He would have a scheme worked out on the lines of the Lucknow compact.

Mr. Aftab said he was quite content with seven seats.

The Chief Commissioner said that some of the constituencies would be very small; they would consider lowering the franchise for Muhammadans.

Sir Frank Sly said the Committee would prefer that a scheme should be based on the same qualifications as the general franchise.

Question No. 12.

The Chief Commissioner said that he did not object to separate electorates for the Europeans and Anglo-

Indians etc. if they could be a reality, but he did not like mock electorates. The Europeans were so scattered as to make a special electorate a great difficulty. The chief element was the railway; some were and more would be employed in mines. The Anglo-Indians were in Nagpur and Jubbulpore; elsewhere there were only a very few scattered men on the railway. He would accept a constituency for Europeans and Anglo-Indians, although personally he was against it because of the practical difficulties.

Sir Frank Sly said that as regards mining there was a question, whether the Association was sufficiently representative.

The Chief Commissioner said that the Association was young. It was formed to discuss manganese questions with the Government. Government had informed them that if they would include coal miners they would form a Mining Board, and it was extended accordingly. He thought they were fairly representative. It would be an advantage to give the representation to an electorate of registered mine owners. He would have a scheme worked out on these lines which would include the lime workers.

As regards factories he thought they could get an electorate of factories coming under the Factories Act. He would have proposals worked out.

Sir Frank Sly said the Committee would like detailed information regarding textile factories.

Mr. Hogg said that a constituency for commerce had been suggested, to be formed by those who paid income tax under the heading Trade and Industry.

The Chief Commissioner promised to consider this proposal.

Question No. 13.

Sir Frank Sly said that the Central Provinces scheme provided a bare minimum of nominated official members. The Chief Commissioner thought that some more would have to be added.

Question No. 14.

The Chief Commissioner said that some extra seats were being added for Berar and for Muhammadans. It might be possible to gain an extra seat by taking away a second member

in Marsingpur and possibly by taking one away from Buldana.
 s would be worked out.

Question No. 15.

He would allow subjects of Native States in India
 vote and to be candidates.

Question No. 16.

The Chief Commissioner said that the electoral roll
 should be made up by the proper Government official without any
 application on the part of the voter.

Question No. 17.

As regards the residential qualification for candi-
 dates the Chief Commissioner said that they wanted local men
 to come forward, and they therefore proposed that candidates should
 be resident within the constituency. The candidate must in their
 constituency have his place of residence or business in the constitu-
 ency. "Residence" might be defined so as to include the urban
 area in the adjoining rural area for the purpose of candidature in
 that area. He was, however, quite prepared to accept whatever the
 committee decided. He would prefer the district as the unit of
 residence.

The Chief Commissioner explained that the proposals
 of the Local Administration were put forward rather in a hurry and
 trouble had been experienced in regard to their printing press.

Sir Frank Sly said that the Committee hoped that he
 would kindly give directions that a redraft of the scheme should
 be sent to them.

CONFIDENTIAL

No. 313-A-X, dated Nagpur, the 6th March 1918.

From—The Hon'ble Mr. J. HULLAH, I.C.S., Second Secretary to the Chief Commissioner, Central Provinces.

To—The Secretary to the Government of India, Finance Department.

I am directed to reply to the Hon'ble Mr. Howard's letter No. 396-F, dated the 15th February 1918, asking for the Chief Commissioner's opinion on the points of principle suggested by the Committee which recently met at Delhi to formulate definite proposals with a view to making the Provincial Governments, to a larger extent than at present, financially independent of the Government of India.

2. In respect of the elimination of Divided Heads the Chief Commissioner accepts the principles suggested by the Committee. He has not closely examined the scale of present revenue and expenditure, on which the calculations of the Committee are based, with reference to its suitability for adoption in the Central Provinces; this, he understands, may be deferred for later consideration. But I am to say that, in view of the needs of these Provinces, in which as the Government of India are aware a great measure of development is called for, it may be necessary to ask for a somewhat more liberal scale of expenditure than is provided in the Budget figures for 1917-18, which have been taken as the basis of the calculations and which represent the bare necessities of the Provincial administration, which alone can be provided for in a period of financial pressure like the present. Sir Benjamin Robertson would mention, for instance, that changes which are certain to follow on the introduction of the reforms, even if they are not directly connected therewith, such as the raising of the status of the Head of the Administration, the appointment of an Executive Council, the raising of the Court of the Judicial Commissioner to a Chief Court, the provision of a University, are all measures which will call for a proportionately larger amount of expenditure in a Province like the Central Provinces than will be the case in the larger and old established Provinces where developments on these lines have already taken place.

3. In connection with the provision that must be made, in the new settlement on account of Famine, the Chief Commissioner would further urge that we must take into our calculations not merely the average of past expenditure—allowance should also be made for the heavy losses of revenue to which a Province like the Central Provinces is liable. Under the existing settlement the Central Provinces are partly secured by a minimum guarantee of 82½ lakhs of land revenue, but such a guarantee is hardly compatible with a system of Provincial autonomy. In accordance with the more modern system of dealing with crop failures, suspensions and remissions of land revenue are much more freely granted than in the past. Both in respect of losses of land revenue and of revenue of all kinds on account of famine, the precarious position of the Central Provinces, as compared with, say, Bengal or Burma, needs no demonstration, and the Chief Commissioner considers that, with the adoption of the principle of complete evolution in finance, it is essential to take this liability into account.

4. While on the subject of the provision which is to be made for Provincial revenue and expenditure under the new arrangement, Sir Benjamin Robertson would also like to mention the necessity for making an ampler allowance for the construction of Protective Irrigation-works than has been adopted in the provisional figures of Sir William Meyer's note. The construction of such works in the Central Provinces is of comparatively recent origin, and for many years to come greatly increased expenditure will have to be faced on this account. In the Bilaspur district, for instance, a district which is specially liable to famine, but which is at present entirely unprotected, schemes are being worked out, a single one of which is likely to cost nearly two crores of rupees. It would be impossible to give protection to this district alone within any adequate period of time if future expenditure is to be based on the average of the past ten years.

5. The Chief Commissioner has thought it right to mention these matters now, although they may fall perhaps more properly within the category of points of detail which will be considered later. But they are of great importance from the provincial point of view and that must be his excuse for referring to them.

6. On what is more a point of principle than a point of detail, Sir Benjamin Robertson is still unable to follow the arguments adduced for including in the expenditure side of the Provincial account a charge for interest on Protective Irrigation works already constructed. This measure is justified on two grounds, *viz.*—

- (1) that the money thus spent out of the Famine grant would otherwise have been available for the Productive works programme, and
- (2) that Protective works may hereafter become Productive.

With reference to the first argument, the Chief Commissioner would observe that if the money had not been needed for Famine Insurance, the amounts taken from the Provinces in the Provincial settlements must, in fairness, have been reduced, and there would then have been no revenue available for Productive works; and in any case, there would still have remained the fact that the money thus transferred to Productive works was derived from revenue. As regards the second argument Sir Benjamin Robertson is not aware whether a Protective work has ever, in any part of India, become remunerative; but as the works will be handed over as unremunerative, interest should not be charged on the ground of a mere possibility—a very remote one in the Central Provinces—that they may afterwards prove to be remunerative. If the new settlement is to be drawn up on the basis of probabilities or possibilities, then let it be drawn up on the basis of the very much stronger probability, that is, that the works are likely to remain unremunerative. For these reasons, the Chief Commissioner would strongly urge that the Provinces should not be charged with the interest payable on the cost of constructing Protective Irrigation works. Although the exclusion of this item will actually make only a small difference in favour of the Central Provinces, under the proposed system of taking a fixed and uniform percentage of the Provincial surpluses as a contribution to the Imperial Exchequer, the principle is, in his opinion, of sufficient importance to contest.

7. In respect of Provincial Taxation and Borrowing, the Chief Commissioner generally accepts the proposals contained in the Provincial Taxation and Provincial Borrowing Committee's note. In particular he agrees to the principle that all taxation bills should go to the Government of India before they are introduced, whether they fall within the Provincial schedule or not, and he concurs in the grounds stated in paragraph 21 of the Note on which the Government of India should have power to withhold sanction. In the case of Provincial borrowing Sir Benjamin Robertson demurs to condition (1) in paragraph 26 of the Note, in the case where a Province proposes to borrow on its own account. The Government of India's approval should be limited to the second and third conditions only; it does not seem necessary or desirable that approval should be withheld to a scheme which the Provincial Government wishes to adopt, on the ground that the Government of India may have a different idea of the importance of the scheme from that which is held locally. This would be an interference with the independence of the Provincial Government for which the Chief Commissioner can see no reason.

Non 1069-A-X.

Central Provinces Administration

FINANCE DEPARTMENT

FROM

THE HON'BLE MR. H. C. GOWAN, I.C.S.,

SECOND SECRETARY TO THE CHIEF COMMISSIONER,

Central Provinces.

To

THE SECRETARY TO THE GOVERNMENT OF INDIA,

FINANCE DEPARTMENT.

Nagpur, the 20th November 1918.

SIR,

I am directed to acknowledge the receipt of your letter No. 2355-F, dated the 21st August 1918, in which the Government of India ask for any further remarks which the Chief Commissioner may have to offer on the principles of the financial settlement to be made with the Local Administration under the scheme of Constitutional Reforms.

2. In paragraph 3 of your letter the Chief Commissioner's opinion is especially invited on the proposal of the Government of Madras that loans of the descriptions appearing in the Provincial Loan and Advance Account should be financed from the Provincial balances. This proposal, if adopted in the Central Provinces, would reduce the free Provincial balance to 78½ lakhs of rupees; but, on the other hand, the Provinces would save annually about a lakh and a half of rupees which they at present pay to the Imperial Government as interest on outstanding loans. In ordinary years the instalments of principal repaid, which would be credited in full to Provincial Revenues, would more than suffice to cover all new loans; but in a year of severe famine the amount required for new loans would be very great—it might run to anything from half to three-quarters of a crore of rupees; and to meet this special demand it would be necessary to draw on excess balances in hand or to apply to the Central Government for a loan. It would therefore be necessary for the Province to accumulate a somewhat larger balance to the credit of its Famine Insurance Reserve Fund so as to enable it to meet some portion of the demand for famine loans from this source. In view of the fact that many of the loans given out in famine years may have to be written off as irrecoverable, it would also be necessary to take this factor into account in calculating the provision on account of Famine Insurance, which would have to be sufficient to cover not only famine expenditure proper and loss of revenue, but also the cost of irrecoverable famine loans. The proposal under consideration has therefore a very distinct bearing

on the calculation of the standard expenditure of the Province in the arrangements for financial devolution under the Reforms Scheme, but this point can be discussed at a later date, when the financial estimates are examined in detail. For the present it will suffice to say that Sir Benjamin Robertson sees no objection to the adoption of the proposal of the Madras Government.

3. With reference to paragraph 2 of your letter, I am to say that the Chief Commissioner adheres to the suggestions and criticisms put forward in Mr. Hullah's letter of the 6th March last, but he has nothing further to add as to the principles of the scheme of devolution. His opinion on details can be deferred till the actual terms of settlement are considered.

I have the honour to be,

Sir,

Your most obedient Servant,

H. C. GOWAN,

Second Secretary.

No. 1069-A-X.

Central Provinces Administration

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I have the honour to be,

Sir,

Your most obedient Servant,

H. C. GOWAN,

Second Secretary.

A Note by Mr. P. Hemingway, I.C.S., Commissioner of Settlements and Director of Land Records, Central Provinces, to be placed before the Committee on Division of Functions.

For the reasons given in the note of our private opinions by myself and certain other officers serving in the Central Provinces, I am strongly in favour of a modification of the proposed scheme, and the constitution of an undivided Provincial Executive Council, composed half of non-officials and containing at least one elected member of the Legislative Council; such Executive Council to be jointly responsible for administering the work of all departments, the portfolios being allotted to individual members according to the discretion of the Governor. On the assumption that this modification which we advocate will not be approved, I will note my opinion—in the alternative—on the terms of reference, in particular the Division of Functions so far as they concern the Settlement Department.

2. As regards the control of the Government of India, I am of opinion that the delegation of authority to Provincial Governments should be far more complete than it is at present. There are in my opinion two points only which should be controlled by the Central Government, with reference to the general interests of the country and the Provincial policy that those interests from time to time dictate: these two points are, firstly, the determination of the term of settlements and, secondly, alienations of revenue of a permanent or semi-permanent nature. With these two exceptions the Provincial Government should be at liberty to order and complete, without further reference or control, the settlements of districts or smaller areas, irrespective of the amount of rent or revenue enhancement contemplated. The passing of all final orders on assessments should be vested in the Provincial Government, reports being sent to the Government of India for information only: the principles of assessment are already laid down and approved, but should the Provincial Government find it advisable in any case to modify these principles, they should in future be permitted to take that step without reference to the Government of India, for their procedure will be open to criticism in the local Legislative Assembly which will certainly not neglect its opportunities, if innovations prejudicial to the interests of any class in the community are suggested.

3. Though I contemplate with equanimity the possibility of a non-official administering the Settlement Department in the capacity of member of an Executive Council which would, under the proposed constitution as modified by us, share his responsibility and assist in determining his policy and procedure, I cannot support any proposal to hand over the administration of settlements as a transferred subject to a minister who is to be personally and solely responsible for that administration. Apart from the question of technical detail which can only be mastered by officials after a long term of actual work in the field, there are the following strong reasons for keeping settlement work under the direct control of Government:—

(1) Settlement work in the Central Provinces, except in the relatively small and unimportant ryotwari areas, brings into very great prominence the conflicting personal interests of tenant and landlord. This conflict of interest is well illustrated by the history of our tenancy legislation. To describe the position briefly we created 50 years ago a body of permanent landlords in place of temporary revenue farmers and collectors: we at the same time realized that the tenants had rights prior to the newly created landlord, and we therefore protected the tenants in varying degree against the landlord; since that date we have been legislating, now this way now that, in both Revenue and Tenancy Acts, to protect first the one and then the other; and our Acts still require further amendment to meet developments which have arisen and will continue to arise as the country makes progress. Now at settlement, besides the recording

of the rights of all individuals and classes, we introduce the question of cash gain and loss which no class or individual can contemplate without consideration of their or his personal pocket and feelings. Thus when a district which has made normal progress is resettled with average rental enhancement that rental increment far more than covers the revenue enhancement assessment is made at half assets; and the proprietors—as they have discovered—gain pecuniarily very substantial sums by such revision. It is to the landlords' interest to carry out settlements more frequently, and to enhance rental more freely than tenants can perhaps afford, certainly more frequently than tenants would wish. The only man who can hold the balance between these two interests is the Government official; and it must be remembered that the issues will become more acute when the effect of settlement is more clearly understood by the tenant.

(2) The second reason is closely bound up with the first: it is that though we are giving tenants the franchise it will be very many years before they fully understand the position and their powers and elect as member of the Council a man of their own status. I do not believe a single elected member of the Legislative Council will, for many years to come, be anything less than a landlord; and we shall get no articulate public expression of the tenants' views as opposed to the landlord until we have—at a very distant date—tenancy organizations to counteract the landlords' associations that are now coming into existence in many districts. These are not imaginary objections, and I may be allowed to quote a typical case which illustrates the divergency of the two interests, and the inevitable subordination of public interests to the wishes of one class which will persist until we have actual living representation of the tenants on our Councils. I recently summoned a meeting of influential—and so far as I could judge representative—landlords in one district to discuss my proposals for the resettlement of that district: the local malguzars' association was represented by a pleader on that occasion and all other members were landlords with reasonably large estates. They had discussed the proposals beforehand, and at the outset of the meeting with one notable exception they stated in very definite terms that no resettlement could be made for the simple but strong reason that the tenancy rents could bear no enhancement. I may here note that rents in that district are exceptionally light and privileged and it is a prosperous tract: my point is not so much the failure to grasp the general rental and economic conditions of the district in which they lived as the subsequent rapid change in attitude of the landlords present at that meeting. On getting the reply above given I pointed out that the revenue fixed 20 years ago is now extremely low, far below half the present assets, and as rental enhancement was said to be quite impossible, an alternative open to Government was to leave rents severely alone and simply raise the revenue to half assets, without adding any rental increment. On that, the landlords changed their attitude completely, admitted that rental enhancement was possible and should be imposed if a revision were ordered. This to my mind illustrates fairly well the impossibility of handing over settlements as a transferred subject; those malguzars were intelligent electors, possibly future members of Council; yet their opinions were directed entirely by their own interests.

Note by the Hon'ble Mr. A. I. Mayhew, Director of Public Instruction, Central Provinces, to be placed before the Committee on Division of Functions.

EDUCATION AS A "PROVINCIAL SUBJECT."

POWERS OF CONTROL TO BE RETAINED BY THE GOVERNMENT OF INDIA.

Education should be a "Provincial subject." Except in regard to University matters, the Government of India should retain only such powers of control as may be consistent with their general relations to Provincial Governments. It is particularly important that a Provincial system of education should be adapted to the needs and circumstances of the Province. Such adaptation postulates as large a measure of freedom as possible for the Provincial Governments. My experience in Madras and the Central Provinces has brought home to me the extent of local variations and the difficulty of establishing any general rules that will cover such variations.

2. Through its Universities India is brought in touch with the outside world and her reputation is affected by the value attached to University degrees. Moreover, the sphere of a University is not necessarily confined to a Province and the interests of Native States may be affected. My official experience in University matters does not justify me in making any detailed recommendations regarding the measure of control to be exercised in this respect by the Government of India. Among University matters I include all highly specialised kinds of professional training and technological education adapted to the needs of India as a whole rather than any particular Province.

3. For the progress of education it is essential that the Government of India should be in a position to give expert advice to Provincial Governments. There should be in the Government of India a bureau of educational intelligence and information. This bureau should be in a position to keep the various Provinces in touch with one another and should freely give the Provinces the results of experiments and investigations in all parts of the world as well as in the various Provinces of India. One of our chief disadvantages at present is that we are too much confined within the limits of our respective Provinces. We are not up to date in information from the outside world and our work is consequently inclined to proceed in grooves. What I propose is really a development of the present work of the Educational Commissioner with the Government of India. But in the bureau which I have in mind the department for statistics and summarising of Provincial reports will play a comparatively insignificant part. Experiment and investigation would occupy exclusively the best men in such a bureau.

A. I. MAYHEW,

Director of Public Instruction,
Central Provinces.

The 1st November 1918.

EDUCATION AS A "TRANSFERRED" SUBJECT.

I. (a) The essential difference between "transferred" and "reserved" subjects is that Government in dealing with the first class is to be subject to popular control and in dealing with the second class is to be free from such control. The exact measure of popular control does not concern us here. The question at issue.

(b) Popular control of education as suggested in the Report means control by voters of the general educational policy. The term "general educational policy" comprises the enunciation of broad principles, setting of standards, framing of programmes and provision of funds for the execution thereof.

(c) This kind of popular control is essentially different from such popular control of education as is now exercised through Local Bodies, University Senates, or Managers of educational institutions. The latter kind of control, however real and effective, is delegated and subject to the general control of Government. It is now suggested that Government should be responsible and subject to the people in exercising this control.

(d) Popular control of education is a political, not a racial, topic. It must not be confused with the direction of Indian Education by Indians. An exclusively European Service might be subject to popular control and an exclusively Indian Government might be autocratic, as it is in several Native States at present.

II. "Subjects" are to be transferred in which—

- (a) keen interest is taken by Indians;
- (b) special need for development is obvious;
- (c) opportunity exists for local knowledge and social service;
- (d) mistakes made, though serious, are not irremediable;
- (e) the interests of the masses are not vitally affected.

III. In the schedule to the Report it is suggested that primary, secondary and technical education should be "transferred." The grounds for "reserving" University education are not stated. If there is one branch of education that could be regarded as fulfilling the conditions of transfer laid down above it is University education. But it seems to me wrong on educational and political grounds to distinguish one branch from any other in considering this subject. A democratic course has been set, and the educational ladder from primary school to University is a cardinal feature of the democratic programme. The great importance attached to this ladder in England has been fully recognised by Mr. H. A. L. Fisher in his designs for a national system of education. No part of such a system can be isolated. To control a University without reference to secondary schools, or to organise technical or industrial education without controlling the secondary or primary schools on which they are based, is to court disaster. The need for more systematic co-ordination of primary and higher education has been admitted in paragraph 186 of the Report. Necessity for transferring or reserving education as a whole.

IV. Of the conditions of transfer enumerated in paragraph II the fourth and fifth, (d) and (e), are not in my opinion fulfilled in Secondary and Primary Education. Before trying to justify this opinion I propose to show that the other conditions, though generally fulfilled, are not in themselves sufficient grounds for the "transfer" of education. I shall then proceed to give reasons for the "reservation" of education which will necessitate a reference to the consequences of mistakes in education and the bearing of education on the interests of the masses and will thus bring me back to conditions (d) and (e). The line of contention followed in this note.

V. (a) The writers of the Report evidently expect that a more progressive educational policy will result from the substitution of the steady "stimulus afforded by popular control" for occasional "outbursts of creative" but autocratic "activity." Is popular control a necessary condition of the rapid spread of education? Paragraphs 153 and 18 of Report.

Keen interest in the subject is taken by educated Indians who realise the need for development. Uneducated opinion will be converted by self-government to a consciousness of the value of education. Education under the stimulus of educated and uneducated opinion and subject to popular control will advance under the best possible conditions.

(b) A demand for more education undoubtedly finds frequent and emphatic expression in the Press and Councils and on the public platform. But this demand has so far been irresponsible, and it has left to the Government the burden of providing funds. It has found very slight expression in private endowments for educational purposes, or in any practicable scheme for the financing of a progressive educational policy. Local Fund Educational Cesses have, it is true, been increased recently in Berar, but the general attitude in regard to development of all branches of education is that "Government must find the money." The mode of discovery is not indicated, and I find no grounds for any assurance that when those who demand more education are responsible for providing it they will be able to do so.

(c) That self-government will bring the unenlightened to a knowledge of the value of schools may be true. But in paragraph 146 of the Report it is anticipated that this will be the final stage, and anxiety as to the intervening stage and its duration is excusable. Will the comparatively few enlightened voters during this period be able to induce the unenlightened to pay for education which they do not want but must have? The Report leaves some doubt in my mind as to whether the franchise is necessary for the spread of education or the spread of education for the franchise.

(d) That popular control of education necessarily means its rapid extension cannot be regarded as axiomatic. It depends on the people exercising the control. The spread of education postulates a Government that realises its value and a people that can be forced or persuaded to pay for the schools and take advantage of them. The form of Government is comparatively unimportant. The autocratic Government of this country has expressed as frequently and emphatically as its critics the need for more education. Autocratic Prussia built up in the nineteenth century a far wider and more effective system of national education than democratic England. The halting progress of Education in this country has been due to its peculiar characteristics and poverty and not to its form of government.

(e) That an autocratic Government necessarily resents the spread of education and will try to check it is a view unsupported by history and untenable by any who accept the ultimate control of the British Parliament and the pledges given therein and by the King-Emperor.

(f) That an autocratic Government will shrink from enforcing such essential but unpopular measures as Compulsory Education is a plausible view. It remains to be seen, however, whether a "popular" Government will ask its supporters to put their hands in their pockets for this purpose or whether it will venture to insist on, or even permit, Compulsory Education in any area where there is widespread and emphatic opposition. Moreover, though private members have taken the initiative in introducing permissive Bills of compulsory education, the responsibility for them falls at present on the Government that accepts them and has to provide most of the funds to make them operative. The irate parent has not learned to differentiate the private members' Bill, under which, when converted into law, he will suffer, from a Government Bill.

(g) I cannot see therefore how popular control in this country is necessarily more effective than autocracy for the spread of education.

Is popular control
a necessary condition
of the improvement
of education?

VI. (a) The defects of Indian Education have been emphasised in the Report. The hope is implicit throughout that a wider use of Indian knowledge and service and a keener perception of Indian needs and aspirations will remove these defects. This leads, though not I think with any cogency, to the need for popular control that will enlist this knowledge and ensure this sympathy.

(b) It is admitted in paragraphs 182 and 183 of the Report that the present system of education is a response "to a real and insistent demand," and that its defects are largely due to the peculiar circumstances of the country and to compliance with the wishes of its leaders. I have failed so far to trace any explicit demand by the general public or any responsible representative politician or University leader for a national system of education widely different from our present one. What public opinion demands is more schools similar to those already established but cheaper, and more "sympathy" on the part of examiners.

(c) Nor is it impossible for an autocratic Government to gauge and yield to public opinion in educational matters. It did so most emphatically in the modification of the Patna University Bill. That its concessions resulted in a "national" University no one will claim. But if Patna is not national it is because a national University was not wanted, not because it was refused.

VII. It has been urged that the principle of self-determination must necessarily first be applied to education. It is true that a nation conscious of itself and its ideals must have liberty to express and perpetuate those ideals in and through its schools. But where national self-consciousness and ideals are not developed, the need for popular control of education is less apparent and its dangers are more real. When a child's self-consciousness is awakening and ideals and unity of purpose have not emerged from a mass of conflicting impulses we give it responsibilities and privileges in order to facilitate the growth of character. But before the character is formed we do not leave it to direct its own education. India to-day is in a position to receive and profit from certain privileges which have educational value. But the responsibility of controlling its own education must surely be one of the last and not the first conferred. Pending the transfer of this responsibility the most careful attention can be paid, and is already being paid, to those who are most competent to appreciate its needs and sympathise with its aspirations.

Self-determination and Education.

VIII. The control will be exercised (a) by the educated who desire the extension of education but are not convinced of the need for its improvement, (b) by the uneducated who desire at present neither extension nor improvement. We are warned clearly that the franchise is not to be based on educational qualifications. It is doubtful whether the educated will face the unpopularity that must result from taxation for the extension of Vernacular education among those who do not want it and it is probable that they will achieve popularity by extending English education economically among those who want it at the cost of efficiency. The latter false step has not entirely been avoided by an autocratic Government, but in most parts of India the plea that a bad secondary school is better than none has received no official recognition. The plea has not been condemned but rather endorsed by educated public opinion. As regards the allocation of funds for Primary education, the steady policy of the autocratic Government has been to consult the interests rather than the wishes of the masses. If that policy has not carried them far, it has been due to the circumstances of the country not the exigencies of the polling booth. They have not been forced, as a popular Government might well be, to divert funds from Primary education, which is necessary but not popular, to Secondary education, which is in demand.

The dangers of popular control. Extension of Secondary Education at the cost of efficiency and a check to Primary Education owing to want of funds and demand. This affects vitally the interests of the masses.

IX. (a) Secondary education in Bengal has been less subject to autocratic Government control and more exclusively the product of local needs and aspirations than Secondary education elsewhere in India. The result is shown in the report of the Director of Public Instruction, Bengal, quoted in the Rowlatt Commission Report. "It is in the high schools with their underpaid and discontented teachers, their crowded, dark and ill-ventilated class rooms and their soul-destroying process of unceasing cram that the seeds of discontent and fanaticism are sown." The network of rural Anglo-Vernacular Schools under private management and generally the Secondary English schools and to a less extent the colleges of Bengal have been the "most fruitful recruiting centre" of revolutionary conspirators who have found in students and

Evidence of the Rowlatt Committee Report. Mistakes in Higher Education not merely serious but irreparable.

teachers the tools they require. The conspirators' regulations include instructions for members under 12 years of age. Of persons convicted in Bengal of revolutionary crimes or killed in the commission of them between 1907 and 1917 50 out of 177 whose ages were known were under 21 years of age and 126 under 25. There were among them 68 school boys or students and 16 teachers. Surely these figures show that there are some mistakes in education which are disastrous to the victims and, so far as they are concerned, irremediable.

(b) Public opinion which is to control education has made light of the Rowlatt Commission Report. The educated public cannot or will not see the connection between bad education and revolution or anarchy. Yet the Report makes it clear that in other Provinces of India deliberate attempts are being made, mainly from Bengal, to turn school boys and teachers into criminals, and instances have been brought to light in this Province. If any thing is to be learned from the Press and Council debates, the need for precautionary measures will not be emphasised by a popularly controlled Government.

(c) On the general subject of schools and politics public opinion is not sound. Though some public men are coming to see that schools are not the proper place for propagating political dogmas and that school boys are harmed by being drawn into political agitation, measures taken in this Province to emphasise this point of view met with no public support, and even the few who deplored the efforts of the many to convert our students into agitators "puffed up with their own importance and a law unto themselves" were no believers in firm action against them. Yet it was from participation in the boycott movement in Bengal that school boys and students advanced to movements more disastrous to themselves and the community.

(d) The Reform Scheme Report quotes with approval Lord Morley's dictum. "There is no particular virtue in satisfying an aspiration unless your measures at the same time fortify the basis of authority on which peace, order and all the elements of the public good in India depend." The Report adds significantly that "essentials must be safeguarded." Sound education is an essential. I am not convinced that it can be safeguarded if it is under popular control. The risks and difficulties of this transition stage in Indian History are admitted. I fear that popular control of education will increase the risks and lengthen the period of transition.

Note on European Education.

In paragraph III I have urged the need for keeping all branches of education under unified control. Should it be decided, however, that some kinds of education should be "reserved" and some transferred, the need for "reserving" European Education in this Province seems to me obvious. And if Education generally is to be transferred this branch of education should specially be excepted. From Legislative Council proceedings it may be inferred that those who would have most influence if education were "transferred" have no conception of the peculiar needs and circumstances of European education in this country and do not appreciate the necessity for differential treatment. If the interests of the European community are to be safeguarded, their schools must be protected from those who are unable to appreciate clearly their aims and circumstances.

A. I. MAYHEW,

Director of Public Instruction,

Central Provinces.

The 1st November 1918.

Note by Mr. A. E. Nelson, I.C.S., Commissioner of Excise, Central Provinces, to be placed before the Committee on Division of Functions.

I have been asked to put in a written statement containing the substance of my evidence and I accordingly submit the following brief summary.

A.—SHOULD EXCISE BE ONE OF THE DEPARTMENTS TO BE TRANSFERRED TO AN INDIAN MINISTER?

The guiding principle laid down in paragraph 238 of the Report is that those departments should be transferred "which afford most opportunity for local knowledge and social service, those in which Indians have shewn themselves to be keenly interested, those in which mistakes which may occur though serious would not be irremediable, and those which stand most in need of development." I will deal with each of these points in turn.

(1) Does the Excise Department afford large opportunities for local knowledge and social service?

If the existence of a great social evil due to drink or drugs could be proved, there would be ample scope for the Indian reformer. It is doubtful, however, whether any Indian public man will be prepared to assert the existence of such an evil in these Provinces. On the contrary the greater part of the Central Provinces and Berar has a well-deserved reputation for temperance. The people are far more temperate than they were thirty years ago, a result almost entirely due to the policy of Government control. On the one hand illicit distillation and smuggling have been checked, on the other licit liquor and drugs have been made more expensive. Except in a few aboriginal tracts of the Province the temperance reformer would now find little scope for his energies, and even in those tracts where the bulk of the population are drinkers a comparison of the incidence of consumption (for spirits only) with that of England reveals the remarkable moderation of the Gond.

It may however be argued that alcohol and drugs are in themselves evil things, that the ideal ought to be absolute prohibition, and that in working up to this ideal there are large opportunities for local knowledge and social service. It would be out of place here to enter into a discussion on the respective merits of 'moderation' and 'prohibition,' but that the last word has not been said on this subject is clear from the perusal of a little book "Alcohol—its Action on the Human Organism" recently brought out under the auspices of the Central Control Board at home. This book, which has been prepared by a Committee of eight scientists of high repute, reveals the lack of exact knowledge that still prevails about the action of alcohol on the human body and shows that the whole study is still in the initial stage, having hardly got beyond the threshold. The conclusion is that so long as the physiology of diet in general and chemistry underlying it remain in their present elementary state, he is a bold man who would proclaim himself a prohibitionist.

(2) Is the Excise Department one in which Indians have shown themselves to be keenly interested?

I shall be surprised to hear if any Indian gentlemen of these Provinces claim to have shewn a keen interest in the Excise Department. From time to time spasmodic temperance movements have sprung into being, but the leaders of the movements have as a rule been the spiritual and social leaders of the backward classes. The movements have generally had but a brief existence—perhaps owing to lack of material to work upon.

(3) Is the Excise Department one in which mistakes which may occur though serious would not be irremediable?

This question is not easy to answer as few mistakes are absolutely irremediable. Excise policy can always be abruptly changed. Mistakes might cause considerable discontent and unrest among the consuming classes, and a large loss of Government revenue might ensue without any commensurate benefit to the community.

(4) *Is the Excise Department one which stands most in need of development?*

The Excise Department has undergone a most remarkable development in the last decade, and certainly cannot now be classed among those departments which stand urgently in need of development. It is difficult to see on what lines further development could take place. An excellent system is in force, into the details of which I need not enter here; the general policy prescribed in the Resolution in the Finance Department, No. 5001-Exc., dated the 7th September 1905, is being steadily pursued, and the subsidiary measures, by which effect is to be given to this policy, detailed in letter No. 1766-1783-81, dated the 18th March 1914, from the Secretary to the Government of India, Commerce and Industry Department, to the Chief Commissioner, are being fully applied. A perusal of the annual reports of the Central Control Board, which since the outbreak of war has controlled the liquor traffic in the major portions of England and Scotland, clearly demonstrates how far the Indian system is in advance of that in force in the British Islands. The bugbear of vested interests has been avoided in India, the traffic in liquor and drugs has been brought under the most complete control, and, while a strictly temperance policy has been pursued, a fine revenue has been secured for the State. If ever the Excise Department is handed over to a purely Indian Government, the latter should indeed be grateful for the legacy.

2. In paragraph 238 of the Report we read "nor should we expect the transfer of matters which vitally affect the well-being of the masses *which may not be adequately represented in the new councils*". One of the main objections to the transfer of the Excise Department to the control of a responsible Indian Minister is that, at any rate for some time to come, there will be no representation in the councils of the consuming classes. There will therefore be a complete lack of sympathy with and understanding of the point of view of the latter. The taxation of drink and drugs requires very careful adjustment. The backward classes are especially sensitive to interference in this matter, and in the past riots and rebellions have resulted from injudicious actions in applying restrictions on the traffic in these articles. It would be safer to leave the department under the control of a man who, coming from a country where the mass of the people are consumers, is more likely to understand that there are two sides to the liquor question.

3. Finally, as I read the Report, its authors never contemplated the immediate transfer of a number of the most important departments to Indian control. The process of transfer was intended to be a gradual one. The Excise Department now provides about 30 per cent of the provincial revenues, and it would hardly be in the interests of the general tax-payer to experiment with one of the most important revenue-producing departments.

B.—RETENTION OF CONTROL OF GOVERNMENT OF INDIA IN CASE OF TRANSFER.

4. (1) The *Excise Act* is a Provincial Act passed as recently as 1915. The points on which a reference is required to the Government of India are very few. I note the sections below—

Section 2 (3)—Declaration of Chief Revenue Authority.

Section 4.—Declaration of what is "country liquor" and "foreign liquor" respectively.

Section 8 (1)—Prohibition of import or export of excisable articles.

Section 25 (3) (ii)—Fixing of other than the tariff rate of duty for denatured spirit and beer.

The declaration of the Chief Revenue Authority under Section 2 (3) might be left to the Local Government. The other three matters are of more than provincial interest and no change is required. Whether the department is transferred or not, no further additions to the powers of the Government of India are, in my opinion, necessary.

(2) The *Opium Act* is an Imperial Act, dating as far back as 1878. Opium is a matter of imperial interest and the Act should remain imperial. Its revision has, I believe, been for a long time under consideration. The following sections require a reference to the Government of India:—1, 5, 6, 7, 8 and 13. No changes are required as regards 1, 6, 7 and 8. Under Section 5 the control of the Government of India may be retained over the cultivation of the poppy and the manufacture of opium, but the possession, transport, import and export of opium are provincial matters, rules regarding which might safely be left to the Local Government. Similarly under Section 13 the Government of India's control need not be retained.

C.—CONTROL OF MINISTER BY GOVERNOR IN COUNCIL.

5. (a) *Excise Act*.—If it is correct to assume that the Financial Commissioner will be absorbed in the Governor's Council, then the Minister will take his place as the Chief Revenue Authority and the powers delegated to the latter under Section 7 (e) of the Act will be exercised by the Minister. There is no necessity for the Local Government to delegate any further powers.

(b) *Opium Act*.—All rules should require the sanction of the Governor in Council. No change is required in the powers of the Local Government. The Minister will work exactly as the Financial Commissioner does at present.

A. E. NELSON,

21st November 1918.

Excise Commissioner (on leave).

A Note on the Co-operative Department in relation to the proposed Constitutional Reforms in India, by Mr. A. E. Mathias, I.C.S., Registrar, Co-operative Credit Societies, Central Provinces and Berar.

The Central Provinces system of co-operation differs in so many important respects from the systems of co-operation in force in other provinces in India that it seems desirable to place before the Committee a short description of its general features and of the functions and powers at present exercised by Government, the Registrar and the Co-operative Federation. For a more detailed study of the principles on which the system is based, I would refer the Committee to Mr. Crosthwaite's book, "Co-operative Studies and the Central Provinces System," to an article of mine, in the Bombay Co-operative Quarterly for June, on the Central Provinces Federation and to an article on the same subject which will appear in the January Edition of the Agricultural Journal of India. I believe I am right in stating that the Co-operative Federation of the Central Provinces and Berar is the leading example of applied democracy in India at the present day. To understand its constitution it is necessary to describe the Societies and Central Banks whose representatives sit in the Federation.

2. The affairs of the primary or village societies are managed by a Panchayat or Committee which is elected annually by the members of the societies. Primary or village societies and Central Banks. As a rule each society is composed of inhabitants of the same village. The societies are affiliated to the Central Banks in which they are also shareholders, and these Central Banks are managed by a Board of Directors elected annually. Each Central Bank deals with a certain definite area, usually a tahsil, sometimes a small district. The by-laws of Central Banks provide that the directors shall be elected to represent both societies and individual shareholders, and in actual practice in nearly all Banks the majority on the directorate consists of representatives of the primary societies. Central Banks and societies are also shareholders in the Provincial Co-operative Bank, and representatives of the Central Banks and societies are in the majority on the directorate of the Provincial Bank. This system has been evolved as a result of some seven years of steady work; it is no sudden creation; on the other hand, the ground has been carefully prepared for each successive advance.

3. Every registered co-operative bank in the Central Provinces and Berar is, together with its constituents' societies, eligible for membership of the Federation, which is the Parliament of the co-operative movement in the Central Provinces and Berar. Constitution of the Co-operative Federation. At the annual meeting of the Federation each of the members is represented by one delegate specially elected at the annual general meeting of the co-operative bank and fully empowered to act and vote on behalf of the electors. The resolutions of the Federation Congress are binding on every member and they are loyally adhered to.

4. The affairs of the Federation are under the control and management of the Governor assisted by an Executive Council of five members. Management of Federation affairs. The Governor is elected by the Federation, and his period of office is terminable only by his death, resignation or a vote of want of confidence by a two-thirds majority of the Federation Congress. His Executive Council is elected annually by the Federation. When the Co-operative Federation was first organized and started by my predecessor, Mr. Crosthwaite (now temporary Lieutenant-Colonel), he was elected Governor for life, and in this way the control of the movement was vested entirely in his hands as Registrar and also as Governor. This was necessary at a time when the Registrar's most important functions were to teach, initiate and educate. On his transfer from the office of Registrar, Mr. Crosthwaite tendered his resignation as Governor of the Federation, and, at the Congress meeting in July 1917, I suggested that the time was then ripe for the election of a non-official Governor. After some discussion, it was decided that a non-official Governor should be elected, and the choice of the Federation fell on the Hon'ble Rao Bahadur N. K. Kelkar, who, since that time, has resided at Jubbulpore and managed the affairs of the Federation as Governor, the Registrar being ready to help and advise when necessary.

5. The objects of the Federation, as stated in its by-laws, are as follows:—

- (i) To provide a regular and efficient system of supervision and control for all the Banks and societies enrolled in membership.
- (ii) To secure uniformity of practice and unity in effort and in aim amongst all co-operative bodies in the Central Provinces and Berar.
- (iii) To work for the common good of all co-operators, and especially to see that co-operative business is conducted on sound, safe and progressive lines.
- (iv) To teach, train and educate the Federation staff.
- (v) To foster by every means in its power the spread of the co-operative spirit amongst the people of the Province.

6. The Federation has command of considerable funds which are provided partly by contribution from Central Banks and partly by a one-rupee annual subscription from each member of the primary societies. The Federation employs its own staff, and the amount spent on this account in the last co-operative year was Rs. 1,20,505. The Governor of the Federation forms a link between the administrative and financial sides of the movement, and large financial powers in the management of the Provincial Co-operative Bank have been delegated to him by the Directorate, the majority of whom are representatives of the Central Banks and societies.

Distinction between the powers of the Registrar and of the Federation.

7. It will be seen therefore that the powers exercised by the Federation and its Governor in the Central Provinces are very considerable. The general distinction between the powers of the Federation and of the Registrar are as follows.

The control of the Federation is an inner control, and when the Federation is not sitting, the Governor of the Federation, assisted by his Council as representative of the Co-operative Federation and holding tenure of office in accordance with the will of the Federation, is primarily responsible for organization, supervision, propaganda and the control of the Federation staff. The Registrar's control is an external control, essential in the interests of the general public and of the State, and ample powers are conferred on him both by the Act and the rules under the Act. The Registrar is responsible in India (though in other countries, I would point out, a similar responsibility does not rest on any Government servant) for the audit of societies. He is not directly responsible for the financial management of the movement, but is the adviser on co-operative matters both of Government and of the Governor of the Federation.

Federation and proposed Constitutional Reforms.

8. It is evident, therefore, that in regard to any change in the control of the co-operative movement by Government, the views and wishes of the Federation have the strongest claim to be carefully considered, and it is therefore a matter for extreme regret that the terms of reference to the Committee on functions have been received too late for a meeting of the Federation Congress to be held. I understand, however, that Rao Bahadur N. K. Kelkar, who is one of the witnesses to be called before the Committee, will, before giving his evidence, consult the members of his Executive Council, and, so far as possible, other co-operators also.

9. Before stating my views on the matters which will be considered by the Committee, I wish to make it clear that I am not influenced by any political considerations of any kind whatever. I would draw the attention of the Committee to the fact that the democratic character of the Co-operative Federation owes its initiation to my predecessor, Mr. Crosthwaite, while the logical developments, which were recently carried out at my suggestion, precede the political announcement of August 1917. Moreover, I give my evidence as a co-operator, and it is an accepted principle of co-operation in every country that politics should play no part in the determination of matters affecting the welfare of the co-operative movement.

Relation of Government to the co-operative movement.

10. Self-help being the ultimate object of co-operative credit, it is clear that as the movement progresses and co-operators learn to manage their affairs, State interference in co-operative matters should be gradually more and more

restricted. As in most new undertakings in India, it was essential at the outset that organization should be largely undertaken by Government; and for a time at least that the driving force should be in Government hands. But of the evils of excessive State interference in co-operative credit there are no two expert opinions. On this point all writers are agreed, and I would in particular refer the Committee to Mr. Wolff's book "People's Bank" and the chapter on Indian Co-operative Credit contained therein, and would also invite attention to pages 251 to 255 of Mr. Crosthwaite's book. The Central Provinces Government has always been guided by the principle that it should not undertake to do for co-operators what co-operators are able to do for themselves, and the policy followed has been a gradual devolution of what I may term 'unessential' Government control to the representatives of the co-operative movement. Government has so far arrived at a stage at which it confines itself to the protection of the interests of investors and the public in general, and has for this purpose, and for this purpose only, maintained in its own hands, or in the hands of its representative, the Registrar, only sufficient powers to ensure that the movement is conducted on co-operative lines and in an honest and business-like manner. The main powers of the Local Administration are contained in Section 43 of the Co-operative Societies Act, and a reference to Notifications Nos. 355 and 356 of the 26th of September 1916 will show that the rules promulgated by the Local Government are practically a delegation of powers to the Registrar in all matters of a technical nature. Thus considerable powers have been delegated to the Registrar under Section 43, Sub-section (2) (b), (d), (e), (h), (i), (r), and on the other hand the Federation has entrusted the Registrar with full powers as regards investment of reserve funds, and the by-laws of all societies include a provision to this effect. Further, the Registrar, in dealing with the affairs of societies, has restricted interference other than advice to those powers which had been conferred on him by the Act or rules under the Act. The Federation has always had a free hand in the management and appointment of its staff and in the performance of the other functions which pertain to it, while all alterations in rules or standard by-laws have been placed before the Federation Congress for consideration before being adopted and its recommendations have received full consideration. Further, in regard to registration and liquidation of societies, the opinion of the Directors of the local Central Banks is taken into consideration.

11. I have given these details as it seems to me important that the Committee should understand the growth, development and policy of the co-operative movement (increasingly independent as it is becoming of Government aid and wholly independent as it is of Government financial support) before considering what powers should be exercised under any system of responsible Government. In the absence of any experience of this form of government in India, I would respectfully advise that a reference should be made to Sir Horace Plunkett on the subject. I believe that co-operators in Ireland have experience of the possibilities in relation to co-operative credit arising from the appointment of persons for political reasons to positions giving them the power of interference in matters affecting co-operative societies.

Suggested reference to Sir H. Plunkett.

12. In 1915 I had the pleasure of staying with Sir Horace Plunkett in Ireland, and at the annual general meeting of the Irish Agricultural Organization Society I heard some very plain words spoken in regard to the appointment of representatives of political interests to positions affecting the welfare of the co-operative movement; and I believe that a resolution on this subject was recorded in the proceedings of the Irish Agricultural Organization Society's annual meeting of that year. Reflecting on what I then heard, it seems to me that the entrustment of the control of co-operation to a single Minister who may be subject to opposite and conflicting interests is not free from danger. It seems to me that it is not impossible that a member of the Legislative Assembly, representative of interests other than those of the co-operative movement and possibly opposed to co-operative credit, might be nominated as Minister on account of his outstanding abilities in other directions. It is conceivable that for the sake of the interest represented by him, he might frame rules which, in the view of co-operators, would be detrimental to the best

Possible dangers to the co-operative movement.

interests of the co-operative movement. There is also another possibility, namely, that the Minister might be an enthusiastic supporter of the co-operative movement, and might, under pressure of his co-operative supporters, incline towards that State subsidy of co-operative credit which has proved so disastrous in other countries. A further possibility to be considered is the periodic substitution of a Minister of one set of views on co-operative credit by a Minister of diametrically opposed views. Nothing is more important in a business enterprise of this kind than continuity of policy, and the possibility of changed policies every three years or so is one which cannot be faced with equanimity. On the whole, therefore, I personally am in favour of the subject of co-operative credit being entrusted, not to a single Minister but to an undivided Cabinet or Executive Council, however it may be constituted; this offers a safeguard that the interests of the movement will not be prejudiced by the views of a single individual. As I have said before, the matter is one on which the views of co-operators in these Provinces, as represented by the Governor of the Federation, his Council and the Federation, should carry the utmost weight.

Reservation in
the event of transfer.

13. If, however, it should be decided that the subject must be transferred to the control of a single Minister, I would make the following suggestions in regard to the powers to be exercised by the various authorities :—

- (1) As regards the Government of India, the principles of co-operation being universal in application, the Co-operative Societies Act should be an Imperial Act, the framing of which must rest with the Government of India. Power to frame amendments to meet local conditions should, however, be reserved to the Local Governments. Further than this I would entrust no powers in regard to co-operation to the Government of India other than the power of calling for and prescribing the returns to be submitted by co-operative societies through the Local Government to the Government of India. This power is necessary to enable the Government of India to supply the information required by the International Bureau of Statistics at Rome. The development of co-operation in India is of wide-world interest, and it is therefore necessary that the Government of India should be able to require the production of statistics relating to it.
- (2) The Local Government's powers would then be transferred to the Minister. Inasmuch, however, as a Minister may be representative of interests opposed to co-operative credit, I would suggest the following restrictions on his liberty of action :—
 - (i) *For the protection of the Co-operative Federation.*—In case of conflict of opinions between the Minister and the Co-operative Federation, the Federation ought to have the right of appeal to the whole Government, including the Minister.
 - (ii) *For the protection of the general public and investors.*—In the event of a conflict of opinion between the Minister and the majority of the Legislative Assembly, the subject should be referred for the decision of the whole Government, including the Minister.

Appointment and
control of Govern-
ment staff.

14. From the illustrative list in the Report on Indian Constitutional Reforms it would appear that the appointment, conditions of service and control of the provincial services will be a reserved subject. It is not easy to see how in this event the responsibility of the Minister is to be secured. It would always be possible to maintain that the efficiency of the Department had suffered owing to the appointment of an inferior staff for which the Minister was in no way responsible, or that the Minister found himself unable to control the reactionary or bureaucratic tendencies of a staff responsible only to a bureaucratic Government. The difficulty can best be met by constituting a separate cadre for the Co-operative Department and placing it under the control of the Minister. In the meantime, until such time as a new staff can be formed, the members of the staff now serving in the Co-operative Department would remain.

15. There are at present four members of the Provincial Service in the Co-operative Department, namely, a Muhammadan Assistant Registrar and three Mahratta Brahmin temporary Extra-Assistant Commissioners on special duty. I have consulted these as regards the proposed reforms, and they agree with the remarks I have made above. They urge, however, that to entrust their interests entirely to the hands of a single Minister who may or may not be subject to caste prejudices would be hazardous. They suggest that, with a view to protect the interests of the staff, the Minister should be guided in the matter of appointment and promotion by instructions laid down by the whole Government. Among matters regarding which such instructions are required, they would include, as examples, the proportion of Muhammadans, Brahmins and other castes to be appointed, and the cases in which appointments may be made from outside the Department. Further, they urge that inasmuch as the proposed changes may affect their interests prejudicially, they should be given a reasonable time in which to decide whether to remain in the Co-operative Department, and that in the event of any member of the Provincial Service deciding to leave the Department, he should be provided with a suitable appointment in some other branch of Government service.

16. As regards the staff of Government auditors and the clerical staff, ^{Inferior staff.} the appointment and promotion of these officials in practice rests in the hands of the Registrar, though an increase of establishment requires the sanction of the Local Government, and presumably this system would continue. I have not been able to consult the audit staff on the matters involved in the proposal to transfer the Department to the control of a Minister, but the clerical staff has been consulted. While agreeing that a separate cadre should be created for the Co-operative Department, they urge that the present system of selection and promotion by the Registrar should continue. In any case they request that the present staff should have the option of serving in the Department or leaving it within a period of five years from the date of transfer of the Department to the Minister. If in exercise of such an option they decide to leave the Department, they claim that they should be provided with suitable appointments in other Government departments.

17. I may be permitted to conclude this note with an illustration from the Co-operative Department of the evils of divided control of staff. Federation auditors are appointed, promoted and paid by the Co-operative Federation, but are authorised to audit societies by the Registrar under Section 17 (1) of Act II of 1912, and the staff has been placed under the control of the Registrar by the Federation. Notwithstanding the fact that the relations between the Registrar and the Governor of the Federation are most cordial, and that questions regarding the Federation audit staff are discussed and decided by these two authorities in consultation, the idea gained ground that the promotion or punishment of the Federation audit staff was settled by the Governor, the Federation or the local representative of the Federation, and that the Registrar's control was nominal only. Under these circumstances, the quality of work performed by the staff deteriorated, and the Governor of the Federation has placed a proposal before Government that the whole audit staff shall be appointed, controlled and remunerated by Government, the Federation making a consolidated annual contribution to Government Funds. It appears to me that if the appointment and control of members of the superior staff in the Co-operative Department are retained by the Governor in Council, the Minister will find himself in relation to the staff much in the position of the Registrar as described above.

**A Note by Mr. M. Hill, C.I.E., F.L.S., Chief Conservator of Forests,
Central Provinces, to be placed before the Committee on
Division of Functions.**

It appears to me that the main point on which my opinion is required is the question whether, if the Reform Proposals are introduced, the Forest Department should be considered as a "Reserved" or "Transferred" subject. In order to arrive at some decision on this point, it will perhaps be best if I endeavour to show briefly the importance of the government forests in the Central Provinces. I do not think that the importance of the forests, their great value to the people, the necessity for conservation and the advantages of careful and scientific management are fully realized by many people, and certainly not by the natives of this country. India is essentially a pastoral and agricultural country and is very largely dependent on the forests to supply its needs. In the Central Provinces and Berar we are fortunate in having a good distribution of forest growth, each district possesses a certain area of State forests, and though the quality of these forests is often not high, it is nevertheless well suited to meet the requirements of the people. The proportion of the total forest area of State forests to the total area of the Central Provinces and Berar is approximately $\frac{1}{3}$ th.

2. I will only mention briefly some of the more important advantages that are afforded by these forests to the people as a whole, more specially the agriculturists. From them are obtained timber, bamboos, and thatching grass for buildings; wood for agricultural implements, carts, etc.; fuel; fodder and grazing for cattle; a number of edible fruits and many other minor forest products such as tans, fibres for ropes, medicines, etc. It will readily be realized what an important part these supplies play in the life of the agriculturists, but great as are their undoubted benefits, they are perhaps of comparative insignificance when compared with the great role that the forests play in regard to the storage and regulation of the water-supply. Were it not that we have generally speaking forest growth at the sources of streams and covering the hill slopes, the general maintenance of water level throughout the Provinces would be seriously imperilled. In this connection I may perhaps invite attention to my note on an enquiry by the Government of India on the relation between the forests and atmosphere and soil moisture in India (Forest Bulletin No. 33 of 1916) where this aspect of the importance of the forests is detailed at some length.

3. To me the satisfactory maintenance of the State forests of India appears to be of such vast and general importance as regards the welfare of the people as a whole, their material prosperity and—it would be no great exaggeration to say—their existence, that I think there can be no doubt that for many years to come the forests should be considered as a "Reserved" subject.

4. The only other point upon which it appears necessary to offer an opinion is in regard to the power of control which should be retained by the Government of India in regard to the forests.

Under the Indian Forest Act the power to declare forests no longer reserved is subject to the control of the Governor-General in Council (*vide* Section 26 of the Indian Forest Act). This control has been relaxed to the extent that local governments may, without reference to the Government of India, disforest an area of reserved forests not exceeding one square mile. I am inclined to think that the power of control at present exercised by the Government of India should remain unaltered, as it ensures that no large areas of forests can be disforested without the fullest consideration.

Under Section 39 of the Indian Forest Act the power of levying duty on timber and other forest produce is subject to the control of the Governor-General in Council. This power may, I think, also be retained by the Government of India since it refers not only to the forest produce in India but also to the forest produce which is brought from places beyond the frontier of British India.

5. As regards the financial powers of the Government of India, this does not appear to be a matter upon which it is necessary for me to offer an opinion. Nor does it appear that any of the other subjects mentioned as coming within the scope of the Committee on the Division of Functions call for any remarks from me.

**Memorandum by Rai Bahadur B. N. Chaudhari on the Reforms
Scheme for the Central Provinces and Berar, to be placed
before the Committee on Division of Functions.**

As regards division of functions I am of opinion that so far as these Provinces are concerned I would for the present recommend only the following subjects to be transferred:—

Numbers 1, 2, 4, 7 and 12 to 15 of the illustrative List II of the Report.

2. As regards other matters dealt with in the terms of reference I reserve my opinion for the present.

RAIPUR:

The 15th November 1918.

D. N. CHAUDHARI,

President, Municipal Committee.

Memorandum, dated the 25th November 1918 by the Hon'ble
Rai Bahadur Sir Bipin Krishna Bose, Kt., C.I.E., to be placed
before the Committee on Division of Functions.

For the reasons given in my speech in the local Legislative Council at the
meeting of the 11th September 1918, I suggest that the following functions be,
for the present, brought under the "Transferred Subjects" and placed under the
"Minister" :—

(a) Subjects marked (1), (2), (4), (5), (6), (7), (8), (10), (11), (12)
and (13) in the illustrative list II attached to the Report on
Constitutional Reforms.

(b) Court of Wards.

**Memorandum by the Hon'ble Mr. G. S. Khaparde, B.A., LL.B.,
Amraoti, on the Reforms Scheme to be placed before the
Committee on Division of Functions.**

In preparing this memorandum I have consulted the illustrative lists attached to the Report and the note circulated by the Central Provinces Government to the Hon'ble Members of its Council and published in its *Gazette*, dated the 21st September 1918, as appendix to Council Proceedings of the 11th September 1918.

2. My scheme is as follows:—

Provincial subjects.

(1) All subjects mentioned in Statement II in the appendix to the Proceedings of the Central Provinces Legislative Council, dated the 11th September 1918, except the following, *vis.*:—

- (a) Political, except State prisoners from the Provinces.
- (b) Census.
- (c) Meteorology.
- (d) Irrigation, if inter-provincial.
- (e) Military.
- (f) Railway, except provincial railways.
- (g) Opium.
- (h) Salt.

(2) All other subjects not mentioned in the above statement, but included in the Illustrative List No. 1 in the appendix to the Reforms Proposals.

Imperial subjects.

(1) All subjects not included in clauses 1, and 2 of the list of provincial subjects.

(2) Conditions of service of All-India services; but the appointment and control of members of those services, serving under a provincial government, should be with that provincial government.

Reserved and Transferred subjects.

The following subjects only should be the Reserved subjects, *vis.*:—

- (1) Police.
- (2) Law and Justice, with the following exceptions, *i. e.*:—
 - (i) Appointments of judicial officers excepting the judges of the Court of the Judicial Commissioner and the Advocate-General or Standing Counsel.
 - (ii) Jails and Jail Officers.
 - (iii) Regulation of presses, newspapers and books.
 - (iv) Dramatic performances.
 - (v) Newspapers (Incitement to Crimes) Act, 1908.
 - (vi) Gambling.
 - (vii) Public conveyances.
 - (viii) Sanctions for prosecutions.
 - (ix) Petitions of appeal and revisions in criminal cases.
 - (x) Cinematographs.
 - (xi) Seditious Meetings Act.
 - (xii) Arms Act.

If any of the exceptions to the two Reserved subjects are not transferred, the orders pertaining to those subjects should be passed by the entire executive government and not by the Governor in (executive) Council only.

All other provincial subjects should be transferred.

Provincial subjects for which the legislative power should be with the Government of India—

- (1) Banks, Insurance and other Companies.
- (2) Motor vehicles (and aeroplanes).
- (3) Land acquisition.
- (4) Income-tax.
- (5) Non-judicial or general stamps.
- (6) Registration of deeds and documents.
- (7) Inter-provincial emigration and immigration.
- (8) Arms.

Control over Transferred subjects.

3. The Governor should have power of intervention in Transferred subjects, only in such cases where there is imminent danger of breach of the public peace, but the order should be passed by the entire executive government and not merely by the Governor in Council. In other cases the Governor in Council should have no power of intervention with Transferred subjects. The power of withholding his consent or veto and the power of dissolving a council are sufficient for exercising a check. The Government of India will besides retain a general overriding power, which will be an adequate safeguard.

Memorandum by Rao Bahadur K. G. Damle of Akola on the Reforms Scheme to be placed before the Committee on Division of Functions.

The question of delegation of Legislative and Administrative control from the Central to the Provincial Government and the main broad principles governing such delegation are succinctly stated in paragraphs 212, 213, 238, 239 and 240 of the Report. As I do not profess to know the statutory or customary functions which fall within the exclusive sphere of the Central or Provincial Government, it is idle to offer suggestions with regard to them without having had previous, first-hand and intimate knowledge of the internal working of the India Office, or the Government of India or the Provincial Government. The best experts to determine these questions are the persons who are sufficiently connected with the Legislative and the Administrative departments of the Government of India as well as of the Provincial Government. In the absence of this special knowledge, I am inclined to be guided by the lists of subjects enumerated in the two lists forming Appendix II of the Report. The twenty-three subjects which find place in the Illustrative List I of Appendix II of the Report are, all subjects which are strictly of provincial interest, and as such can be left to the control of the provincial government. The extent of the control proposed to be retained with the Central Government is specified in the remarks column, and I cannot, in the present state of my information, improve upon the list.

2. Speaking of the Central Provinces, the Provincial Legislative Council of which has so far enjoyed a very short life of practical experience, I would not venture to recommend a transfer of all the 15 heads detailed in Illustrative List II, but items Nos. 1, 2, 4, 5, 7, 10 and 13 may, in my opinion, be transferred to the control of a Minister.

3. For some time to come, *i. e.*, until the Ministers to be appointed get a clear insight into the departmental and inter-departmental working, their work should, generally speaking, be under the supreme control of the Governor. To develop the habit of undertaking and discharging full responsibility, a beginning may be made by leaving certain subjects to their unfettered control up to certain defined limits. These restrictions should be relaxed as the Ministers display competency to handle questions independently. It is impossible to lay down hard-and-fast rules on the subject. With a spirit of sympathetic and generous supervision, the Governor may very well be trusted to define the scope of the Ministers' authority and to alter it to suit changing conditions. Beyond these general observations it is not possible for me to formulate any definite proposal in relation to the questions entrusted in the terms of reference to this Committee.

**Memorandum, dated the 25th November 1918, by Dr. H. S. Gour, LL.D.,
on the Reforms Scheme, to be placed before the Committee on
Division of Functions.**

I have read the Montagu-Chelmsford Report on the Indian Constitutional Reforms and the terms of reference to the Committee on the Division of Functions.

2. I note that the Committee will be guided by the principles enumerated in paragraphs 212, 213, 238, 239 and 240 and take into consideration the illustrative lists contained in Appendix 2 of the Report; and beg to submit my views on the three points upon which opinions are invited by it as follows.

3. Paragraph 238 of the Report deals with the following points, *viz.*—

- (i) Division of (a) services and (b) subjects into Provincial and Imperial.
- (ii) List of subjects to be transferred to the minister and the extent of his control.

The Report suggests that in the first place it would be inadvisable to transfer the departments of Law, Justice and the Police, and that of Land Revenue.

I do not feel competent to speak on the subject of the division of services. But on the transfer of subjects, I submit that the Central Provinces and Berar present every attractive feature for experiment on a large scale. These Provinces contain a homogeneous population of Hindus. European interests are small, and Mahomedans do not count.

Law and Justice is, with the exception of the Chief Court, mainly administered by Indians. There is no reason why it should not be also included amongst the transferred subjects. For the same reason I favour the transfer of Land Revenue.

4. I admit the force of contention embodied in paragraph 240 and think that the Government of India should retain the power therein mentioned though it should be only exercised in cases of extreme necessity.

5. I would recommend the transfer of all the subjects mentioned in list and would add to it the following:—

- (1) Education—all without any reservation.
- (2) Law and Justice.
- (3) Prisons.
- (4) Land Revenue.

Memorandum, dated the 24th November 1918, by the Hon'ble Mr. S. B. Tambe on the Reforms Scheme to be placed before the Committee on Division of Functions.

I adopt the memorandum sent by the Berar Provincial Congress Committee generally on the questions to be dealt with by the Subjects Committee.

2. The Appendix to the Proceedings of the Central Provinces Legislative Council of the 11th September 1918 contains, I believe, all the subjects which the Central Provinces Government has till now been dealing with. The memorandum is drawn up, having in view that Appendix and Illustrative List No. I in the Appendix to the Report on Indian Constitutional Reforms of His Excellency the Viceroy and the Secretary of State for India.

3. In the note which the Hon'ble Mr. Y. G. Deshpande and I submitted on the Reform proposals generally, we have suggested that if Berar be constituted a separate province, there should be no subjects reserved from popular control; complete responsible government should be introduced in Berar by way of experiment. If complete responsible government will not be introduced, the division of the subjects, into reserved and transferred, should be as stated in the memorandum of the Berar Provincial Congress Committee (Schedule II attached as Appendix) in the government of Central Provinces and Berar, or of Berar.

APPENDIX.

PROVINCIAL SUBJECTS.

1. All subjects mentioned in Statement II in the Appendix to the Proceedings of the Central Provinces Legislative Council, dated the 11th September 1918, except the following, *vis.*:-

- (a) Political, except State prisoners from the Provinces.
- (b) Census.
- (c) Meteorology.
- (d) Irrigation, if inter-provincial.
- (e) Military.
- (f) Railway, except Provincial railways.
- (g) Opium.
- (h) Salt.

2. All other subjects not mentioned in the above statement but included in the Illustrative List No. 1 in the Appendix to the Reform Proposals.

IMPERIAL SUBJECTS.

- 1. All subjects not included in clauses 1 and 2 of the list of provincial subjects.
- 2. Conditions of service of All-India services; but the appointment and control of members of those services serving under a provincial government should be with that provincial government.

RESERVED AND TRANSFERRED SUBJECTS.

The following subjects only should be the Reserved Subjects, *vis.*:-

- 1. Police.
- 2. Law and Justice, with the following exceptions:-
 - (i) Appointments of judicial officers, excepting the Judges of the Court of the Judicial Commissioner and the Advocate-General or Standing Counsel.
 - (ii) Jails and Jail officers.
 - (iii) Regulation of presses, newspapers and books.
 - (iv) Dramatic performances.
 - (v) Newspapers (Incitement to Crimes) Act, 1908.
 - (vi) Gambling.
 - (vii) Public conveyances.
 - (viii) Sanctions for prosecutions.
 - (ix) Petitions of appeal and revisions in criminal cases.
 - (x) Cinematographs.
 - (xi) Seditious Meetings Act.
 - (xii) Arms Act.

If any of the exceptions to the two Reserved Subjects are not transferred, the orders pertaining to those subjects should be passed by the entire Executive Government and not by the Governor in (executive) Council only.

All other provincial subjects should be transferred.

PROVINCIAL SUBJECTS FOR WHICH THE LEGISLATIVE POWER SHOULD BE WITH THE GOVERNMENT OF INDIA.

- 1. Banks, insurance and other companies.
- 2. Motor vehicles (and aeroplanes).
- 3. Land acquisition.
- 4. Income-tax.
- 5. Non-judicial or general stamps.
- 6. Registration of deeds and documents.
- 7. Inter-provincial emigration and immigration.
- 8. Arms.

CONTROL OVER TRANSFERRED SUBJECTS.

The Governor should have power of intervention in Transferred Subjects, only in such cases where there is imminent danger of breach of the public peace, but the order should be passed by the entire Executive Government and not merely by the Governor in Council. In other cases the Governor in Council should have no power of intervention with Transferred Subjects. The power of withholding his consent or veto and the power of dissolving a Council are sufficient for exercising a check. The Government of India will besides retain a general overriding power, which will be an adequate safeguard.

Memorandum of the proposals which the Central Provinces and Berar Mining Association desires to submit for the consideration of the Committee on Division of Functions.

As regards the division of Functions, the Association considers that mining should, in view of the special knowledge necessary for its proper control, be treated as a "reserved subject" in the matter of Provincial legislation, and not as a "transferred subject," and that the powers at present exercised by the Government of India over all mining matters should remain unimpaired.

H. D. COGGAN,
Chairman,

The Central Provinces and Berar Mining Association.

Memorandum by the Hon'ble Rao Saheb R. V. Mahajani on the Reforms Scheme, to be placed before the Committee on Division of Functions.

In dealing with this subject I should like to refer to my speech at the last Legislative Council held on 11th September last, as it contains my general view on the subject. I shall, however, deal with list (I) attached to the Reforms Report and refer to the subject mentioned below for the purpose of determining what portion of it should be included in list (II).

Subject No. 4 in list I is that of provincial services. I think the expression "Provincial service" is used as distinct from the "Subordinate service" although it includes also the persons employed under a covenant entered into by the Secretary of State for India and appropriated to the provinces. The expression used is rather ambiguous and affords considerable difficulty in determining which of the services should remain provincial as a "Reserved" subject and which should be treated as "Transferred." I think that the civilians employed in the province under a covenant should continue to enjoy their old privileges but if they are serving in any Department which is transferred to a Minister, the latter must be under the control of the Minister, for if the entire service (Provincial) is made a reserved subject over which the Minister has no control, the Minister may occasionally find his position awkward. If on the other hand, the entire control of the service employed in the transferred Department is entrusted to the Minister, who is likely to change every three years, the interests of the service are likely to be jeopardised. I am afraid that this is a real difficulty of practical administration; but still I would suggest a compromise under which the servants should be placed not under the entire control of the Minister but under a limited one subject to the final order of the local Government. The arrangement is practically the same as is in vogue at present, with respect to the control of the Civil Services subject to the final order of the Government of India. I think this compromise is workable and should be given a trial. In order to safeguard the interests of the service, the Ministers should be expected to conform to the rules of the service as regards making appointments, &c. Under these safeguards the Minister may be entrusted with the control of the higher service working in his Department. As regards the control of the subordinate service, no difficulty is likely to arise.

2. As regards list II, I would like to add the following as transferred subjects:—

- (1) Maintenance of law and order—
 - (a) Administration of Criminal Justice.
 - (b) Prisons.
- (2) Land revenue administration excluding first settlement.
- (3) Civil Justice.

The appointments of the Judges of the High Court and of the selected posts in the Revenue Department should form a reserved subject.

3. As regards the restrictions on the powers of the Ministers to whom several departments are going to be entrusted, I would suggest that the Governor should have the power to interfere in the interests of the public peace, provided that his action is supported by the majority of the entire Government consisting of the Executive Councillors and Ministers. As regards the department of co-operation, the Minister should have no powers to change the old policy without the consent of the entire Government; similarly in cases of divided opinion between the Minister and the Federation or the Registrar, who is an expert in co-operation, the view of the entire Government should prevail.

R. V. MAHAJANI.

Memorandum by the Rev. J. F. McFadyen, M. A., Officiating Principal, Hislop College, Nagpur, to be placed before the Committee on Division of Functions.

The following note explains the reasons why it seems to me that, for a time, Secondary, University and Female education should be a "Reserved" subject.

2. Education in India is confronted with three grave dangers. All of these would be more formidable under a popular Government responsible to an inexperienced electorate than under a Government that can afford to keep its policy well ahead of public opinion.

(1) The first danger is that, on the subject of education as on other subjects, economy may come to be regarded as a civic virtue instead of a civic crime. At a time when Indian needs and ambitions, industrial, social and political, are expanding rapidly, it would be disastrous if, the system of education, on which ultimately advance in every department depends, did not correspondingly develop. The adequate expansion of any sound system of education will involve the expenditure of very large and increasingly large sums of money. In particular it is essential to have a constant supply of thoroughly trained teachers, whose status and salaries will be such as to induce them to regard teaching as a satisfying life work.

The taxation by which alone the necessary funds can be raised is present and obvious; the fruits of the expenditure are somewhat distant and not always self-evident; and it may for a time be very difficult to persuade the electorate that the difference between a sound system of education and a cheap system is worth paying for.

(2) There is a great danger that quantity may be mistaken for quality. The idea is widely prevalent here that passes in examinations are gifts to be awarded rather than prizes to be won, and that a pupil is being treated with peculiar favour if he is promoted to a class or a department for which he is quite unfit. Taking the situation as one knows it, it seems certain that great pressure would be brought to bear on a popular Government to lower its standards in every department of education.

(3) The danger is by no means remote that education might become only one, perhaps not even the chief, aim in educational institutions; and that under a popular Government it might prove peculiarly difficult to hold in check the tendency to use the organisation of Schools and Colleges for propagating in young and susceptible minds particular political creeds.

Any effective system of education will have a profound effect on political belief and practice; and it is hardly open to question that the democratic movement in India is the direct outcome of the Western education of the last two generations. But the result has been achieved, not by appeals to party passion or the use of political formulæ, but by a many-sided education which brought converging influences to bear on the mind and heart of the student till it altered his outlook on life.

In any country school-boy politicians are an anomaly; and so far as older students are concerned, in India at least, keen political partisanship seems to be incompatible with that spirit in which study, as the educationalist understands it, can be carried on.

Popular ministers would have no certainty that they had public opinion behind them in trying to prevent the perversion of educational institutions from their true functions.

If the sphere of responsible Government is at first, in educational matters, confined to Primary Education, there need be no feeling that it is being relegated to a subordinate place. Except the development of Female Education, the rapid expansion of a sound system of Primary Education is by far the most important work before the educationalists of India. Moreover, it is possible that, when education in India comes more completely under Indian control, we may see important changes in educational methods and ideals; and Primary Education provides the natural sphere for new departures.

The Depressed Classes.

3. If Primary Education becomes a "Transferred" subject, it would be necessary to provide special safeguards for the Depressed Classes. It would be peculiarly unfortunate to leave the interests of any section of the community, most of all their educational interests, to an electorate a large section of which, both in theory and in practice, regarded them as untouchable.

Female Education.

4. There are also excellent reasons for "Reserving" the education of girls. We may grant that the leaders of Indian public opinion are sufficiently alive to the importance of Female Education; but so long as public indifference or even hostility to the extension of education for girls are as great as they are, the temptation to sacrifice Female Education to the demands of higher education might prove irresistible to a responsible ministry. It is a commonplace that there is no bigger or more important task before the Indian educational world to-day than the redressing of the lop-sidedness which is the most startling and the gravest reproach to our present system.

European Education.

5. European Education also has pressing claims for special treatment. The class of Europeans whose children are educated in India have very little influence and politically do not belong to the vocal classes. No doubt for these reasons their educational needs have been treated with somewhat scant consideration in the past. We should be making very large demands on the broad-mindedness of the Indian authorities if, at a time when every branch of education was crying out for more money, we expected them to make better provision for the education of Europeans than their own countrymen have done.

Memorandum by the Hon'ble Rao Bahadur N. K. Kelkar on the Reforms Scheme to be placed before the Committee on Division of Functions.

I have been a member of the Central Provinces Legislative Council ever since its existence. I have been connected with the co-operative movement since 1905, and since the month of August 1917 I have been acting as Governor of the Federation of Co-operative Banks in the Central Provinces and Berar. I served on the Municipal Committee of Balaghat for about 24 years in different capacities, and I was also a member of the District Board of that district for nearly 10 years. I practised as a pleader for 25 years. I have never been in direct charge of the administrative work of any department except Local Self-Government and Co-operation.

2. In my note of evidence presented to the Franchise Committee I have pointed out that the great mass of people in these Provinces are not only illiterate, but are wanting in political consciousness. Hence I could not find my way to devise an electorate exceeding more than 2 to 4 per cent of the total population. For different reasons I thought it inadvisable to recommend a legislative council of more than 40 elected members to start with.

3. So far no non-official had any opportunity to get an insight into the details of working of any department of administration except Local Self-Government and Co-operative Credit. In this respect, however, it cannot be said that these Provinces are backward or exceptions to other provinces. In almost every province these are the only two departments open to the non-officials for getting an administrative training. Having had Council Government for a much longer period than we have got here, educated people there had more opportunities for criticising other departments of Government. These opportunities for criticism must have given them much wider experience than we have got. We have, however, to bear in mind that even in the field of criticism, the attention is mostly confined to Sanitation and Education, principally primary. Both these subjects form part of Local Self-Government. It is true that educationally and industrially these Provinces lag behind other parts of the country in the sense that the number of educated and industrial men is not as large as in other parts. There are, however, indications of growing desire on the part of the educated men in these Provinces to devote themselves more to the cause of the country. Although their number is not yet as large as it should be, it would not be difficult to find in this small number the requisite number of capable men to hold the responsible posts of Ministers. People ought to be trained in the art of elections. They would be reluctant to receive or impart the training in all earnestness unless they see the practical benefits of it. The surest way of creating in the people political consciousness and power of self-determination is to throw open to them as wide opportunities for administrative training as possible. The only way of doing this is to entrust to them responsible and not merely subordinate charge of as many departments of administration as possible.

4. Broadly put, the scheme is nothing more than an attempt to create training grounds for people to study administrative details with a view to qualify them in the long run to manage the administration on their own responsibility. In this view I would urge that so far as the transfer of subjects is concerned no distinction should be made between province and province. The distinction (if any) should be in regard to the degree of control which the Governor or the Governor and his Executive Council should exercise over the Minister or Ministers in different provinces. Having regard to the different local conditions, the extent of control or the limitations on the powers of the Ministers must, I imagine, vary from province to province. I do not think any reasonable man or minister would grudge such control or limitations as we seriously mean to have complete grasp of the administrative machinery. I have thought it fit to make these preliminary observations with a view to explain the attitude of the non-official members who took part in the debate on the subject in the meeting of the Local Council held on the 11th September 1918. The proceedings, including my speech, may either be treated as a part of this note or referred to if necessary. I believe the copies of these proceedings are sent to the Committee, and therefore I have not sent them along with this note.

5. With these preliminary remarks I shall proceed to express my views regarding the extent to which the Provincial Governments should be at liberty to exercise legislative, financial and administrative powers. Speaking generally, but subject to the remarks I shall have to make hereafter in connection with the illustrative list I, it appears to me that the safeguards or limitations mentioned in the Report on the legislative powers or functions of the Local Government are not unreasonable. If we once concede, as I think it is conceded at least so far as these Provinces are concerned, that the Central Government or its agent the local Government should be primarily responsible for the maintenance of peace and order the conclusion is irresistible that the Government must have appropriate control over the passing of the laws which are an essentially necessary instrument for the proper execution of the duties imposed upon it. This general observation of mine may be applicable to other laws also, even though they may not be directly connected with the maintenance of peace and order proper. Even with the restrictions suggested, I think in these Provinces the main suggestions would constitute an advance over the existing system. One thing is not quite clear from the report, *vis.*, whether the introduction of any legislative measure will require the previous consent of the Local Government and whether such Government will have the power to withhold such consent. This contingency will arise only in the case of unofficial measures which, ordinarily, should be permitted to be discussed in the council without such initial restrictions.

6. With regard to the financial liberalization of the provincial Governments it is difficult to say anything just at present. This question ought to be divided into two parts: First, as to what extent provincial Governments should be at liberty to spend its revenues for local needs and local improvements, and secondly, having fixed the provincial share of contribution to the Government of India whether the provincial Governments should be at liberty to spend the balance without any restrictions from the Government of India. The solution of this question is difficult. Removal of a few restrictions here and a few there will not enable us to arrive at a satisfactory conclusion. Financial independence of the provinces ought to be merely nominal so long as the provinces have to continue to be liable to contribute heavily to satisfy the common needs of the country as a whole. I believe it is premature to attempt to suggest any means for the grant of largest measures of financial independence to the provinces until we know what costs the whole country will have to bear for her defence—what costs (if any) she will have to bear as her share of the charge of imperial defence. By some stretch of imagination it may be possible to suggest some remedies, but I do not think such a course would be satisfactory to anybody. With such a small balance like Rs. 5,00,000 which a province like the Central Provinces can expect to have under the scheme outlined in paragraph 206 of the Report, perhaps the Government of India would not think it worth its while to exercise any control especially when we bear in mind that all the present expenditure must have been sanctioned by that Government expressly or impliedly. The figures given in paragraph 206 of the Report are, of course, not final. We are told that they are being revised and on a complete revision of them the balances may not appear to be as poor as they appear to be at present. Be that as it may as a general principle, I would say that once the provinces have satisfied their obligations to the India Government either fixed or arising out of emergency the provinces ought to be left alone to manage their affairs without any interference on the part of the Government of India in the shape of previous sanction to certain expenditures or otherwise. Theoretically the above suggestion may be sound. Nevertheless, it is quite conceivable that the Government of India should be entitled to exercise certain amount of control, as in spite of the separation of the Provincial and Imperial finances the Government of India would still continue to be responsible for the well-being of the country and will have to provide against contingencies or calamities like famine. The only question, therefore, is to what extent and in what manner the present limitation on the powers of the local Governments should be relaxed.

7. From paragraph 209 of the Report it appears that the official agency has been considering the question of the relaxation of the existing restrictions. Presumably this consideration is one-sided and any decision arrived at on the

basis of such one-sided consideration is not likely to be satisfactory. Codes, rules or instructions and above all their interpretations relating to these restrictions are so large, voluminous or complicated that within the very short time at their disposal it is hardly possible for the non-official witnesses to digest them and labouring, as they do, under the disadvantage of want of opportunities for their practical application it would be extremely difficult for them to state with authority or advantage, the extent to which and the manner in which the restrictions should be relaxed. The difficulty is further aggravated by the fact that the reference to the Committee is couched in such comprehensive or general language that in the absence of interrogatories which it is customary to set out for the guidance of the witnesses it is difficult to say what really is expected of the witnesses. The officials, who have constantly to deal with these rules, regulations, etc., in the discharge of their ordinary duties will be in a position to state the extent to which and the manner in which the restrictions should be relaxed.

8. Under these circumstances I think that the evidence before the Committee will consist mainly of official testimony. Mainly on the strength of such testimony it would not be quite safe to come to any conclusion on this difficult question. I would therefore most respectfully suggest for the consideration of the Committee that this question may not be finally decided just at present. Every Local Government may be instructed to appoint a Committee of official and non-official members of the Provincial Councils to go into this question very fully or in minute details. The report of such Committees may be open to discussion before the entire Council, and it is after such discussion that final orders may be passed by the higher authorities. Having regard to the fact that all provinces are not equally advanced, I fancy that the degree of control from above or the extent and the conditions of relaxations to be granted in favour of the Provincial Governments may require variations according to local conditions. I imagine that separate consideration for each province on its own merits would be more satisfactory.

9. The procedure suggested above for the purpose of determining the extent and the conditions of relaxation of control in financial matters would in my opinion be still more suitable in the determination of the devolution of responsibility on Provincial Governments in their popular aspects.

10. Coming to the two lists of Provincial and Transferred subjects, I think it would be well for a better understanding to reclassify the first list very nearly in accordance with the Provincial classifications of the different subjects. In case of doubt the decision preferably of the Government should be final. As official Government is to continue to be responsible for the maintenance of law and order, all subjects mentioned under head 5 of the illustrative list No. 1 and also Civil Justice may, if not already so included, be classed under the head "General Administration" of the Provincial list. To the Provincial lists may be added such subjects in the illustrative list I as are not to be found in the former and which probably seem to have been omitted therefrom through oversight. I may mention some by way of illustration, such for instance, as "management of charitable endowments," "escheats and unclaimed property." On the other hand subjects like tramways, Pasteur institutes included in the illustrative list No. 1 may not be of immediate concern to these Provinces at present. The Provincial lists of subjects may be so framed and classified that the Provinces should continue to be liable to render the services and to administer the departments as before. So far there would be no difficulty. There are, however, a number of enactments under which the Local Government's power either to frame rules or otherwise is subject to the previous sanction or general control of the India Government. The Decentralization Act has in some cases and to a certain extent removed these restrictions. The scope of that Act may have to be enlarged. Within the limited time at my disposal I have not been able to prepare a list of such enactments together with the sections therein under which the restrictions should be relaxed. This work also, in my opinion, ought to be entrusted to a Committee like the one I have suggested above, in case a wholesale revision is considered necessary. The other and perhaps a better alternative would be to

leave the Provincial Council to take necessary steps for the purpose of removing the restrictions or for the purpose of curtailing or enlarging the operation of any enactments for the time being in force. This can be done either by introducing amending Bills or moving resolutions.

11. As to the subjects that should be transferred to the Ministers, the non-official members of the Council have expressed their views at the Council meeting held on the 11th September last. I stick to the view then expressed. With the various safeguards that have been prescribed in the Report and which perhaps would be necessary during the transitional period there is no special reason in being over-cautious. With the exception of a few subjects like registration of deeds of documents, others are mostly of contentious nature inasmuch as they involve or affect conflicting interests. With all this we have to put the Minister in charge of as large a number of departments or subjects as possible. An ostensibly innocent subject like the Co-operative Credit does involve conflicting interests. Even if we allow communal, class or interest representations the Ministers will have to hold the scales in balance. Territorial representation might minimise the Ministers' difficulties. A broad and general rule like the one suggested below might serve to remove the difficulty. Ordinarily the Minister or Ministers should be responsible for administering the departments according to the policy or instructions that may be in force at the time the transfer took place. Any substantial or radical changes in the policy should be undertaken by him only on the strength of the decision of the Council approved by the whole Government. Subject to this general reservation the Ministers' powers should be unfettered, or in other words during the transitional period his main function should be to carry the existing policy to the best advantage of all concerned, being at the same time at liberty to introduce radically new systems subject to the conditions suggested before.

12. As the system of Government by compartments is altogether new and unprecedented, it is impossible without any experience to suggest any other check on the power of the Minister.

13. I apprehend that the Minister's position would be very awkward or delicate inasmuch as he will be required to serve or please two masters, but once his functions or powers are clearly defined in the manner indicated above most of his difficulties will disappear. With this prescription of his powers occasions for re-entry would be rare.

14. I would add a few remarks only with regard to Local Self-Governments and the Co-operative Departments about which I claim to have some intimate knowledge.

15. With regard to the Local Bodies, I understand that a Local Self-Government Board will be constituted in every province. So far, as these Provinces are concerned, we have come to an arrangement which is of course of a tentative nature that the Board should consist of 3 members, one of whom should be an official and the remaining two to be non-officials. All the three members should be nominated by the Chief Commissioner. The two non-officials should be selected out of the elected members of the Local Council, one from the Central Provinces and another from Berar. This arrangement was arrived at without prejudice to the particular points at present under investigation by the Committee. Indeed the arrangement was come to on the supposition that Government would remain purely official as before.

16. If the composition of the Government is to be changed in the manner indicated in the Report, the constitution and functions of the Board will also need modifications. The Minister must be an *ex-officio* member and President of the Board. If the remaining members are to be nominated, the nomination must be made by the Minister. I would not restrict the nomination to the members of the local Legislative Councils. The relaxation of this restriction would be necessary especially if my suggestion of not giving separate representation to the Local Bodies is accepted. As the Minister will primarily be responsible for the

administration of the department and as he will be subject to the general control of the Legislative Assembly the functions of this Board should be advisory.

17. Subject to the remarks made before all powers which by any enactment, rule or instructions are vested in the Local Government should be transferred to the Minister. There are two matters in the exercise of which the powers of the Local Government are subject to the control of the Government of India. The Local Government and consequently the Minister standing in the shoes of the Local Government should be at liberty to sanction the imposition of any tax by any Local Body.

18. The Local Government or the Minister standing in its shoes should have powers to suspend any defaulting Local Body. The Government of India's previous sanction should be unnecessary. If the department is transferred to the Minister, he should have the powers to suspend defaulting Local Bodies. In these Provinces where the Local Self-Government legislation is of a progressive and advanced character the Local Government may be relieved of the necessity of obtaining the previous sanction of the India Government before suspending any municipality. As this is a sudden departure from the existing practice or law, I would reserve to the municipality or to the people aggrieved by the order of suspension the right of appeal to the India Government. In my opinion in respect of the transferred subjects the Minister's authority or power should be the same as that of the Local Government, and in that view I think the Minister's orders should not be liable to revision by the Executive Council in the Province in appeal, review or otherwise.

19. The legislation affecting the Co-operative Department should be an all-India legislation, but the local Legislative Councils should have power to alter or amend this Act to meet local needs or to pass separate laws calculated to promote the cause of co-operation.

20. Within the short time at my disposal I consulted as many co-operators, officials as well as non-officials, as I possibly could. On the main questions the two views do not exactly coincide. On giving my best and impartial consideration to the subject I have come to the conclusion that there is considerable substance in the views of the non-official co-operators. The non-official views are quite consonant with the policy which the Government itself has laid down from the very beginning. It would be a retrograde step or step in the wrong direction if the department were not transferred to the Minister.

21. From the very beginning the object has been to make this institution an entirely independent and popular one. In these Provinces all efforts, official as well as non-official, have been in that direction. The management and control of the movement are in the hands of a non-official body called the Federation which is constituted on entirely democratic lines. External control and supervision, audit and registration, liquidation and award proceedings are some of the matters in regard to which power is vested by the statute in an officer called the Registrar. In respect of most of these functions the Registrar's powers are more or less of a judicial character. The final stage would be reached when powers of external control, etc., are vested in a popular representative of the highest order. So far as the democratic character of the movement is concerned it is but fit that the external like the internal control must be vested in popular representatives.

22. Co-operative credit in all its aspects is purely a matter of business. Strictly speaking, there is very little political element as such in it. It is not necessary to go into the question whether co-operation should be absolutely divested of politics. One thing, however, is certain, *viz.*, that co-operation is the foundation of representative institutions and therefore it must be in the hands of those who are the mouthpiece of representative institutions of highest order in the Province. In these Provinces where co-operation has made considerable headway it would be a mistake if the Minister is deprived of the charge of this department.

23. Certain classes of people, especially the professional money-lenders, may at times show hostile inclinations against the movement. But the educated classes and even money-lenders who understand its potentialities can do no

harm to the movement by abusing their powers. I am inclined to maintain this view even though the Minister happens to be a money-lender or a malguzar whose inclinations, as stated before, are at times not quite friendly to the movement. These inclinations are more or less personal, and from such knowledge as I possess I can say that they are not shared by the entire body or class of money-lenders or malguzars. In any case, in spite of his personal inclinations or class or communal interest the Minister will have to carry out the settled policy and administer the department on progressive lines. Failure or reluctance on his part to do so would be a ground for re-entry.

24. In these Provinces the Federation, which is a strong non-official representative body ever alive to its interest, would keep the Minister straight. For reasons which I have explained in my other note I do not propose to give separate representation even to co-operation. The purpose, I think, would be served if the Standing or Advisory Committee were to consist of at least one representative of the Federation.

25. The confusion of ideas is due to the misconception that seems to have got a hold on some minds that business concerns like co-operation involving financial responsibilities suffer under non-official control. As against this misconception or misunderstanding we have to bear in mind the relative importance of internal control and management and external control and supervision. The confidence of the investing public depends largely on the efficiency of the former. The latter is purely nominal or is merely of the nature of guide and advice. With regard to the latter part it has to be borne in mind that the Minister will be clothed with all the statutory powers and thus for all practical purposes will be an official. Again we have to remember that under the Statute it is the Registrar who possesses extensive powers of external control and supervision. As in the past so in the future, the stability and progress will continue to depend largely on the exercise of these powers by the Registrar, who will be an official.

26. In my opinion, therefore, the movement is not likely to suffer if the administration of the department is transferred to the Minister. In this connection it would be appropriate to state my experience based upon events that took place in these Provinces during the last 15 or 16 months. When the idea of appointing or substituting a non-official Governor with an Executive Council of elected members in place of an official Governor with an Advisory Council appointed by him was first mooted in these Provinces the proposed change was looked upon by some, even non-officials, as a step in the wrong direction. The number of such persons responsible for entertaining such a pessimistic view was microscopically small and in the end the new order of things was brought into existence by an overwhelming majority of or practically unanimous votes. I say that the assembly was practically unanimous as there was only one dissenting voice against the proposed change.

27. I am convinced that this result was not due to mere enthusiasm or zeal. The majority refused to associate with the views of the small minority that the financial position of the movement would be affected in consequence of the investing public losing their confidence by the proposed change. The results, however, show that there was hardly any foundation for these apprehensions. In spite of the fact that the all-powerful and resourceful Government was actively in the field in search of investments for the war loans our deposits not only did not decrease but rose up considerably.

28. There is a class of persons in these Provinces who do not attach much significance to anything that is initiated, organized or controlled by a purely official agency. In consequence of this tendency educated people who ought to be pioneers of the movement had refrained from associating themselves with it. Since the introduction of the change above referred to the pendulum has begun to swing in an opposite direction. It is recognized on all hands that the ultimate success of the movement depends principally upon non-official work. Educated people must come into contact with the masses. The transfer of the department to the charge of the Minister will serve as an incentive to many educated people to take more interest in the well-being and progress of the department.

**A NOTE ON DIVISION OF FUNCTIONS TO BE SUBMITTED
TO THE FUNCTIONS COMMITTEE.**

By Mr. N. R. Alekar, B. A. B. L. High Court Pleader Nagpur.

Representing C. P. Provincial Congress Committee.

(I) GOVERNMENT OF INDIA

- (1) That a system of reserved and transferred subjects similar to that proposed for the Provinces should be adopted for the Central Government.
- (2) That the reserved subjects should be:— Foreign affairs (excepting relations with the Colonies and the Dominions), Army, Navy and relations with Indian Ruling Princes and subject to the Declaration of Rights mentioned below, all matters directly affecting public peace, tranquility and the defence of the country. and all other subjects should be transferred

DECLARATION OF INDIAN RIGHTS.

That the Statute to be passed by Parliament should include the Declaration of the Rights of the People of India as British Citizens:—

- (a) That all Indian subjects of His Majesty and all the subjects naturalised or resident in India are equal before the law, and there shall be no penal nor administrative law in force in the Dominion whether substantive or procedural of a discriminative nature;
 - (b) That no Indian subject of His Majesty shall be liable to suffer in liberty of life, property, or association, free speech or in respect of writing, except under sentence by an ordinary Court of Justice, and as a result of a lawful and open trial;
 - (c) That every Indian subject shall be entitled to bear arms, subject to the purchase of a licence, as in Great Britain, and that the right shall not be taken away save by a sentence of an ordinary Court of Justice;
 - (d) That the Press shall be free, and that no licence nor security shall be demanded on the registration of a press or a newspaper;
 - (e) That corporal punishment shall not be inflicted on any Indian subject of His Majesty, save under conditions applying equally to all other British subjects.
- (3) The allotments required for reserved subjects should be the first charge on the revenues.
 - (4) The procedure for the adoption of the budget should be on the lines laid down for the Provinces.

- (5) All legislation shall be by bills introduced into the Legislative Council provided that if, in the case of reserved subjects, the legislative council does not pass such measures as the government may deem necessary, the Governor-General in Council may provide for the same by regulations, such regulations to be in force for one year, but not to be renewed unless 40 per cent. of the members of the Assembly present and voting are in favour of them.
- (6) There shall be no Council of State but if the Council of State is to be constituted, at least half of its total strength shall consist of elected members and that, procedure by certification should be confined to reserved subjects only.
- (7) At least half the number of Executive Councillors (if they be more than one) in charge of reserved subjects should be Indians and the transferred subjects should be in charge of ministers elected by and responsible to the Legislative Assembly of whom 4/5 should be elected by the people of India.
- (8) That in regard to transferred subjects the position of the Governor General should be that of a constitutional Governor who should be bound to accept the decisions of the ministers backed by the Legislative Assembly subject to such rights as are vested in similar functionaries in the colonies.

PROVINCES.

- (9) From the commencement of the first council the principle of responsibility of the ministers should come into force and no minister should hold office who does not enjoy the confidence of the Legislative Council.
- (10) The Budget should be under the control of the Provincial Legislature subject to the contribution to the Government of India and during the lifetime of the reformed councils, to the allocation of a fixed sum for the reserved subjects and should fresh taxation be necessary it should be imposed by the Provincial Government as a whole for both transferred and reserved subjects.
- (11) That all functions except Law, Justice and Police (excluding Prisons and sanctions to prosecute) should be transferred to the charge of ministers elected by and responsible to the Legislative Councils of whom 4/5 should be elected by the Indian people on as broad a franchise as possible under the existing circumstances.
- (12) The Provincial Legislative Council should legislate in respect of all matters within the jurisdiction of Provincial Governments, including Law, Justice and Police, but where the Government is not satisfied with the decision of the Legislative Council in respect of matters relating to Law Justice and Police it shall be open to the Government to refer the matter to the Government of India. The latter may refer the matter to the Indian Legislature and the ordinary procedure should follow.
- (13) A resolution passed by the Provincial Legislative Council shall be binding on the Executive Government, unless vetoed by the Governor in Council (The ministers and the Executive Councillors forming such Council), provided however that if the resolution is again passed by the Council after an interval of not less than one year, it must be given effect to.
- (14) All bills passed by the Provincial Legislatures shall have to receive the assent of the Governor before they become law, but may be vetoed by the Governor-General.

- (15) In case a bill is vetoed by the Governor-General in Council, it shall not be introduced again during the term of that Council. But after the constitution of a New Council on fresh elections the Bill in its old form or altered form, if re-introduced and passed, the Governor shall, if he does not agree with it, send it to the Governor-General who may sanction it. If the Governor-General disapproves of the Bill or any part of it, he may refer the same to the Legislative Assembly which may pass or reject the same. In case of the Legislative Assembly passing the Bill, it shall become law unless vetoed by the Crown within 12 months from the date on which it is passed.
- (16) At least half the number of the Executive Councillors in charge of Reserved Subjects (if they be more than one) should be Indians.

CONTROL.

- (17) The Control of Parliament and of the Secretary of State should only be modified as the responsibility of the Indian and Provincial Governments to the electorates is increased. No power over Provincial Governments, now exercised by Parliament and by the Secretary of State must be transferred to the Government of India, save in matters of routine administration until the latter is fully responsible to the electorates.
- (18) The Control of the Government of India over Provincial Governments should be relaxed to the extent of and in proportion to the powers delegated to the Legislative Councils and the Ministers. The Government of India should retain its control over the Provincial Governments in all matters not transferred to the people's representatives. The Government of India should have no undefined powers to legislate upon Provincial matters which shall be transferred to popular control without the consent of the Legislative Councils concerned. If an All India Legislation is considered essential, it should be referred to the Provincial Legislatures and if the Provincial Legislatures do not agree to pass the Bill, it should not be forced upon such Provinces as do not choose to accept it.

**MEMORANDUM SUBMITTED TO THE COMMITTEE ON DIVISION OF FUNCTIONS
by Rao Sahib D. Laxminarayan of Kamtee, C. P.**

PROVINCES.

I am a landholder, Malguzar, elected member of the Nagpur District Council and Ramtek Local Board, Proprietor of Manganese mines, Tile and Brick-fields, Honorary Magistrate of Kamptee, incometax payer and employer of labour.

I. The reserved subjects in this province shall be law, justice and police subject to the condition that

- (a) A Chartered High Court shall be established in the Province.
- (b) All judicial appointments should be held, as in England, exclusively by members of the Bar and at least half of them shall be Indians. The salaries of Indian and non Indian judges shall be equal in all grades of Judicial appointments.
- (c) The Judiciary and Executive functions shall be completely separated at once and the subordinate judiciary shall be placed under the direct control of the High Court of this province as regards to discipline and promotion.
- (d) The Judiciary shall be entirely independent of the Executive in the matter of administration of justice.
- (e) That trial by Jury system shall be introduced through out this province and the jurors shall be elected by the people on certain qualifications to be fixed by the Legislative Council.

II. All other subjects shall be transferred subjects under the control of Ministers.

III. The Provincial Legislative Council shall legislate in respect of all matters within the jurisdiction of Provincial Government, including Law, Justice and Police, but where the Government is not satisfied with the decision of the Legislative Council in respect of matters relating to Law, Justice and Police, it shall be open to the Government to refer the matter to the Government of India. The Government of India may refer the matter to the Indian Legislature, and the ordinary procedure shall follow.

IV. The retransfer of transferred subjects to the list of reserved subjects in the case of mal-administration shall only take place with the sanction of the Parliament.

V. The Budget shall be under the control of the Legislature subject to the contribution to the Government of India, and during the life of reformed Council, to the allocation of a fixed sum for the reserved subjects: and should fresh taxation be necessary it should be imposed by the Provincial Government as a whole for both transferred and reserved subjects.

- (a) The Legislative Council should have power to make, or modify, its own rules of business and they shall not require the sanction of the Governor-General or the Governor.
- (b) There should be an obligation to convene meetings of the Council at stated intervals, or on the requisition of one-fourth of its members.
- (c) The Governor shall not have power to summon either part of his Council separately.

Government of India.

VI. That a system of reserved and transferred subjects similar to that proposed for the provinces, shall be adopted for the Central Government.

VII. That the reserved subjects shall be foreign affairs, (excepting relations with the Colonies and the Dominions) Army, Navy, Foreign and Political relations between the Government of India and other powers, Relations with the Indian ruling princes, including the declaration of war and entering into treaties and matters directly affecting the public peace, tranquility and the defence and safety of the Country, and that all other subjects shall be transferred subjects.

VIII. The allotments required for reserved subjects shall be the first charge on the revenues.

IX. The budget in the Legislative Assembly shall follow the same procedure as the Provincial Budget mutadis mutandi.

X. All legislation shall be by Bills introduced in the Legislative Assembly provided that if, in the reserved subjects, the Legislative Assembly does not pass such measures as the Government may deem necessary, the Governor-General in Council may provide for the same by regulations, such regulations shall be in force for one year, but not to be renewed unless 40 per cent of the members of the Assembly present and voting are in favour of them.

XI. The Legislative Assembly shall have power to make, or modify its own rules of business, and they shall not require the sanction of the Governor-General.

XII. There should be an obligation to convene meetings of the Council and Assembly at stated intervals, on the requisition of one-fourth of its members.

XIII. The certificate of the Governor-General shall not apply to matters other than reserved subjects and only in cases directly affecting the peace, tranquility and safety of the country.

XIV. The Governor-General in Council and not the Governor-General alone should have the power to pass ordinances.

XV. It is essential for the welfare of the Indian people that Indian Legislature should have the same measure of fiscal autonomy as the self governing dominions of the Empire possess.

XVI. The Governor-General shall not have power to summon either part of his Council separately.

*Dated KAMPTEE,
the 11th November 1918.* }

D. LAXMINARAYAN.

Note to be put up before the Function, Committee.

Before I venture to submit any definite views on the points of reference I wish to make a few preliminary remarks with a view to point out how difficult it is for a non-official to place a cut and dry scheme before the Committee in the absence of materials and information necessary to arrive at a definite conclusion upon the subject. The illustrious authors of the report seem to have recognized the difficulty in view of which they propose that "Government should give all facilities and help to the non-official members to get an insight into the various subjects mentioned in the list and many others which they might desire to be included there and then equip them for efficient discussion in the Council," and I am obliged to the Local Government for their having circulated a note to Hon'ble Members of the C. P. Legislative Council showing arrangement of business of the administration, which appear in the appendix to the proceedings of the C. P. Legislative Council, dated the 11th September 1918. I have gone through the statement No. 2 very carefully and I regret to find that the classification of subjects adopted therein, is quite different from that of the illustrated list I showing provincial subjects. I quite realize the difficulty of accurate division of subjects into water-tight compartments as pointed out in para 7, but an attempt ought to have been made so far as practicable with a view to simplify matters for reference. The two lists, now before me differ widely and at times lead to confusion. I shall just give a few illustrations to make my meaning clear. Take the head "Agriculture" No. 7 in the illustrated list which includes "Demonstration Farms" but not "Experimental Farms". Is it that the authors mean to treat "Experimental Farm" as Imperial subject and "Demonstration Farm" as provincial, or for the purpose of the list both the terms are treated under the same category and the distinction made by the Agricultural Department and recognized in the official records has been dispensed with. If it is intended to keep "Experimental Farms" and "Agricultural Colleges" which have not as yet been affiliated to the Indian Universities under the control of the Government of India, I must object, but if latter be the case I shall not mind. The subject "Agriculturists and Land Improvement Loans" is given under the head of "Land Revenue" in the illustrative list while it comes under "Agriculture" in the Statement II. Further I give below the classification of industrial subjects occurring in the list :—

STATEMENT II.

Commerce and Industry.	Illustrated List.
Petroleum	19. <i>Industrial Matter</i>
Factories	
Boiler Act	Factories

* Stores	Dangerous and offensive trades
Stationery and Printing	* Inland steam vessels and steam Boilers
* Emigration	* Registration of Labour
* Arts and Manufacture	Labour exchanges
Mining leases	Provident Fund
Quarries	Industrial health Insurance
* Economic Products	Friendly Societies
* Trade and Commerce	Apprenticeships
Mines Act	Accident Insurance
* Prices	* Electricity
* Roads and Rail Traffic	Petroleum
* Sericulture	Explosives
* Exhibitions	Mines
* Museums	Zeological Survey for Minerals
* Weights and Measures	Development of Arts and Crafts and Weal Industries.
Motor Vehicles	21. <i>Business Concerns.</i>
Indian Companies Act	Banks, Insurance and other Companies
Life Assurance Act	22. <i>Government Press.</i>
Provident Insurance Act	Stationery and Printing
	29. Motor vehicles

From the above two lists it will be found that "Electricity" does not find place in the Statement II at all and a few other subjects also marked as * and *vice versa*.

Similarly subjects such as exhibitions, stores, weight and measure etc. are not mentioned in the illustrated list. Are these reserved for the Government of India? At least this ought to have been made clear. These are other subjects such as "gambling", "escheats," "unclaimed property" and management of charitable endowments, " and "intra-provincial pilgrimages" etc. which are not mentioned in Statement II. Under these circumstances instead of giving an exhaustive list of provincial subjects separately I would say provincial subjects shall be :—

1. All subjects mentioned in Statement II except the following :—
 - (a) Political except state-prisoners from the province.
 - (b) Military except camping grounds.
 - (c) Census.
 - (d) Meteorology.
 - (e) Museums (should form part of the technological department to be under the Government of India.
 - (f) Opium.
 - (g) Salt.
 - (h) Income tax.
 - (i) Non-juvinal stamp.
 - (j) Irrigation if inter-provincial.
 - (k) Railways except provincial railways.
2. All other subjects not mentioned in the above statement but included in the illustrated list No. 1
3. All subjects not included in the above two clauses shall be Imperial subjects.
4. As for services, the appointments, conditions of the service and control of all provincial services shall rest with Provincial Governments while those relating to All-India services, shall belong to the Imperial Government.

As regards transferred subjects all subjects except law, police and justice should be included in the transferred list. Special reference has been made to the subject of land revenue and the illustrious authors of the report do not seem to favour the idea of having land revenue as transferred subject. With regard to this I have only to re-iterate my view which I have expressed on more occasions than one and there need be no apprehension about it, if placed under the popular control. I need only quote the following from what I said while speaking on the subject in the Imperial Legislative Council :—

“The people have every reason to be thankful to both the Viceroy and the Secretary of State for their solicitude of the welfare of the riots displayed by them but the people will hardly be satisfied with the remedy proposed. Has it not been a long standing grievance of the people living in rural areas that sufficient attention has not been paid to their needs by the present Government and who brought these grievances to the notice of the Government from time to time? Above all the arbitrary manner in which the Land Revenue has been enhanced at every successive settlements without any regard to the wishes of the peasantry “the enormous masses” of whom as stated in para 135 of the report “have little to spare far more

than the necessities of life" has naturally alienated their sympathies from the present form of Government. The real remedy will therefore lie not in the retention of power in the hands of official but in sufficiently broadening the basis of franchise so that the real representatives of the people may be returned in sufficiently large numbers to the expanded councils and have a hand in the shaping of their own destinies. To achieve this end it will be necessary to secure representation for every small territorial unit such as "tahsil" if possible on the provincial Legislative Council". In my note on the question of franchise I have provided for such representation and if the same is approved I am sure the objection against the transfer of the subject of land revenue will lose much of its weight. It has already been stated in the report that such subjects should be included in the transferred list as "will afford more opportunity for local knowledge and social service and those in which Indians have shown themselves to be keenly interested". What other subject is there if not the land revenue in which the people are keenly interested and what other subject if not "famine" which affords a higher order of social service. The future prospects of the country depend upon the prosperity of the agricultural classes who draw their sustenance from the land and what a close bearing the land revenue policy of the state has upon the future of the land, we all know. For these reasons it is not an unreasonable demand on the part of the people if there is a consensus of opinion on this point *viz.* that "land revenue should be included in the transferred list." In certain quarters there seems to be a lurking fear that the people's representatives would be inclined to sacrifice public revenue to popular clamour. Against this, I need only say that responsibility carries with it a sense of proportion and no apprehension should therefore be entertained on that account.

Education is another important head under which I notice that "University" is not to be transferred. This is quite undesirable. The policy of higher education controlled by Universities goes a long way to influence the policy underlying Primary and Secondary Education and splitting up of this department will not merely cause disappointment but will involve practical difficulty in the actual working thereof. "Forest" is also another subject which should not be divided. The rigour of forest laws followed by undue hardship caused to agricultural classes is a source of constant annoyance to those residing in the neighbourhood of forest areas and constitutes a real grievance which makes the forest administration unpopular and I am sure its transfer to popular control will go a long way to remedy the defect.

Before I leave this subject I must not fail to point out that I am fully alive to the fact that the popular leaders here in these provinces have had no opportunities of any administrative experience in the past, a fact upon which stress may be laid by those who want to confine the transferred list to as few subjects as possible. To them I have to refer, to the various precautions and safeguards imposed by the report which, if judiciously exercised, I am sure will minimise the risks to which a new experiment is exposed and to ensure this, I admit it might even be necessary to provide for a varying degree of control in the case of different provinces, with due regard to the special circumstances of each. In order to avoid occurrence of

mistakes "irremediable" referred to in para 238, I would suggest that important questions of government policy should be decided by the executive government as a whole consisting of the Executive Council and ministers and not by ministers only. I have to suggest a similar procedure with regard to the following subjects falling under the head of "law and justice" :—

1. The working of the following acts :—
 - (a) Seditious Meetings Act.
 - (b) Press Act.
 - (c) Arms Act.
 - (d) Cinematograph Act
 - (e) Incitement to Crimes Act.
2. Regulation of books and newspapers.
3. Dramatic Performances
4. Sanctions for prosecution.

No Government action or policy has exposed the Government to greater unpopularity or has been more prolific of discontent than the action taken under any of the above heads and the association of Ministers with the Executive Council in such matters will go a long way to harmonize relations between the Government and the people and will be found conducive in the long run to the smooth working of the whole machinery.

Now as regards the varying degree of control and matters which though provincial, yet require statutory restrictions upon the discretion of provincial government as well as those in respect of legislation must rest with the Government of India, these are matters with regard to which I am afraid no useful suggestion could be made so long as the question of financial control is not finally decided. So far as I can think, the terms of reference to the committee are concerned, reference is made to paras 212 and 213 which relate to legislative and administrative devolution respectively and not to financial which seems to have been excluded. The success of the whole scheme will depend upon the extent to which the Provincial Government can utilize its own finances to meet the needs and requirements of the province. A bare surplus of 5 lacs in C. P. and Berar would hardly suffice and the question of the devolution of financial powers is of primary and immediate importance having a close bearing upon the subject under consideration. The Secretary of State and the Viceroy are fully alive to the importance of this aspect of the question and they rightly observe in para 209 of the report that "the more provincialization of heads of revenue and expenditure will therefore note of itself suffice to free the province from the restrictions on their spending power which the provisions of the other standing orders impose upon them. Nor can the Government of India, except to a relatively minor extent, enlarge their power since they themselves have to conform to the restrictions of expenditure imposed by the Secretary of State in

Council." It has been further stated that "proposals for the relaxation of the Indian control are already under the consideration of the Government of India and will be further considered at the India Office." The decision of the question of financial devolution should not be arrived at ex-parte. It is desirable that the proposals of the Government of India with regard to this important question should be placed in the hands of the public and criticism invited thereon. In my opinion a separate committee consisting of officials and non-officials should be formed in each province to consider the whole question of the devolution of powers, financial, legislative as well as administrative, and the whole subject should be discussed threadbare after a close study of the existing circulars and orders having the principal aim in view that every facility should be given to Provincial Governments and the popular ministries to advance the moral and material prosperity of the various provinces and I am sure it will be possible "to give the provinces the largest measure of independence, legislative and administrative and financial of the Government of India which is compatible with the due discharge by the latter of its own responsibilities" as contemplated by the illustrious authors of the report, without any prejudice to the interests of good government of the country in future.

B. D. SHUKUL,

ADDITIONAL MEMBER,

Imperial Legislative Council,

(Representing Landholders)

Schedule B.II

Provincial Subjects.

1. All subjects mentioned in Statement II in the appendix to the proceedings of the Central Provinces Legislative Council, dated the 11th September 1918, except the following, viz:-

- (a) Political except State Prisoners from the Provinces.
- (b) Census.
- (c) Meteorology.
- (d) Irrigation, if interprovincial.
- (e) Military.
- (f) Railway except provincial railways.
- (g) Opium.
- (h) Salt.

2. All other subjects not mentioned in the above statement but included in the illustrative List No. 1 in the appendix to the Reform Proposals.

Imperial Subjects.

1. All subjects not included in clauses 1 and 2 of the list of provincial subjects.

2. Conditions of service of All-India services; but the appointment and control of members of those services, serving under a provincial government, should be with that provincial government.

Reserved and Transferred Subjects.

The following subjects only should be the Reserved subjects,

viz:-

1. Police.
2. Law and Justice with the following exceptions, i. e.
 - (i) Appointments of judicial officers excepting the judges of the Court of the Judicial Commissioner and the Advocate General or Standing Counsel.
 - (ii) Jails and Jail officers.
 - (iii) Regulation of presses, newspapers and books.
 - (iv) Dramatic performances.
 - (v) Newspapers (Incitement to crimes) Act 1908.
 - (vi) Gambling.
 - (vii) Public conveyances.
 - (viii) Sanctions for prosecutions.
 - (ix) Petitions of appeal and revisions in criminal cases.
 - (x) Cinemotographas.
 - (xi) Seditious meetings Act.
 - (xii) Arms Act.

If any of the exceptions to the two reserved subjects are not transferred, the orders pertaining to those subjects should be passed by the entire executive government and not by the Governor in (executive) Council only.

All other provincial subjects should be transferred.

**Provincial subjects for which the Legislative power should be
with the Government of India.**

1. Banks, Insurance and other Companies.
2. Motor vehicles (and airoplanes.)
3. Land acquisition.
4. Income tax.
5. Non-judicial or general stamps.
6. Registration of deeds and documents.
7. Inter-provincial emigration and immigration.
8. Arms.

Control over Transferred Subjects.

The Governor should have power of intervention in transferred subjects, only in such cases where there is imminent danger of breach of the public peace, but the order should be passed by the entire executive government and not merely by the Governor in Council. In other cases the Governor in Council should have no power of intervention with transferred subjects. The power of withholding his consent or veto and the power of dissolving a Council are sufficient for exercising a check. The Government of India will besides retain a general overriding power, which will be an adequate safeguard.

NOTE ON THE RESERVED AND TRANSFERRED SUBJECTS

BY

V. D. KALE, B. A. B. L.

REPRESENTATIVE OF THE GRADUATES ASSOCIATION

C. P. & Berar.

PROVINCIAL SUBJECTS.

List No. I in the appendix to the reform proposals is exhaustive.

IMPERIAL SUBJECTS.

All other subjects should form imperial subjects.

TRANSFERRED SUBJECTS.

Subjects given in list II of the appendix should form "transferred subjects;" as also Land Revenue administration and colleges and industrial schools.

RESERVED SUBJECTS.

The remaining subjects except control of services, may remain reserved subjects.

SERVICES.

Services should be under the control of the whole Executive government.

NAGPUR

28-11-1918.

V. D. Kale.



**Memorandum by Rao Bahadur R. N. Mudholkar
C. I E. of Amraoti on the points which
he desires to represent to the two
Committees on Fanchises and
Division of Functions.**

**Memorandum by Rao Bahadur R. N. Mudholkar
C. I E, of Amraoti on the points which
he desires to represent to the two
Committees on Franchises and
Division of Functions.**

General.

The matters referred to the two Committees and especially those referred to the Franchises Committee cannot, so far as Berar and the Central Provinces are concerned, be discussed or decided without reference to the even more important question which claims priority and requires to be solved first, viz. what is to be the position of Berar under the proposed reforms, is it to be accorded the same treatment as the British Indian Districts, are its people to be accorded the same consideration that might be settled to be given to the residents of British India. Reposing their trust in the desire of the Government to do justice to them, Beraris expect that the Government will adopt the only course by which this justice can be done, viz. by treating Berar as a Sub Province, and establishing for it a separate Provincial Legislative Council. For facility of reference I beg to submit in an Appendix the considerations which go to show why and how the only way out of the difficulty is the creation of a special council for Berar.

In brief the position is that as Berar is held not to be British India and that it being not within the competence of the Legislative Council of the Governor General or the Central Provinces Legislative Council to enact legislation for Berar, to propose or levy taxes or discuss or sanction its budget, the only way in which it can be accorded the treatment proposed to be given to the British Indian territories is to provide a separate legislature for it, subject of course to the provisions of the Order in Council II (India) of 1902 under the Foreign Jurisdiction Act.

But as it is not known what course His Majesty's Government propose to follow in this matter it is necessary to deal with the questions under two hypotheses, one that there would be such a council created, the other that representatives of Berar would continue to be members of the Central Provinces Legislative Council as at present. It would be necessary to adopt this procedure also in regard to the form and composition of the Provincial Executive Government as the subject of division of functions is closely entwined with them.

1 Franchise.

As in the form of Government the ideal is the eventual establishment of complete responsible Government, so in the matter of the Franchise adult suffrage must, it has to be recognised, come eventually. But as in the one case it would not be safe to have sweeping changes made all at one stroke, so would it be unsafe in the other to try to bring about manhood suffrage, or any revolutionary change of that character, at the start. In both cases, however, a distinct and substantial advance has to be made and a definitive stage of progress reached in the immediate present. The considerations which counsel cautious procedure in one case are equally operative in the other.

The guiding principles must be that election in every case is to be direct and the Franchise as broad based as the present circumstances admit. Bearing these guiding principles in mind the follow formulae should be laid down.

That not only should the existing method of election by delegates of Municipalities, District Boards and land-holders be abolished, but the method existing in certain tracts of election by members of Municipal Committees or District Boards or by committees of associations should also be done away with. Election ought to be directly by the tax payers, rate payers or the individual members of the class to be represented.

II.

That no class, section or interest which enjoys the right of election though it might be in an indirect manner, should be deprived of that right or privilege.

III.

That as under the Scheme set out in the Report there is to be a unicameral legislature, the electorates should not only be territorial, but that there should be scope therein for the representation of important minorities like Mahomedans and Sikhs and important interests like those of the large land owners, of commerce, of industries of education and of the untouchable classes. The ordinary rule should be that half the number of elected seats should be assigned to the territorial electorates, but that in special cases the limit might be 60 percent.

IV.

That while the rule of one man one vote has to be eventually brought into operation when the advance of a province justifies the grant of complete responsible provincial government it should be waived in the case of persons belonging to interests, classes or sections which are not in the aggregate entitled to more than one-tenth of the total number of elected seats.

Electorates should be divided into three classes.

- A. Territorial;
- B. Communal for Mahomedans or Sikhs;
- C. Special interests
 - (a) large land-holders;

- (b) commerce and trade;
- (c) Industry;
- (d) science and learning (graduates).

A person entitled to be registered as a voter in the electorates which come under A or B class should be allowed to vote only once as an elector of one of those electorates. A person coming under the electorates in class C may vote in one of the electorates coming under classes A or B and also in one of the electorates comprised in class C, but not more.

V.

That the principle of communal representation which has to be admitted *ex necessitate* on account of the commitments of Government should not be extended to communities other than Mahomedans and Sikhs and to Provinces or tracts in which it does not exist at present.

VI.

That the qualification for being elected a member for one of the constituencies coming under classes A and B should be higher than that for being a voter.

VII.

That a candidate who possesses the qualification of standing as a candidate for more than one constituency should not be debarred from standing as a candidate for more than one constituency but he cannot give his vote as a voter in more than one or two constituencies as laid down in formula No. 4.

Berar.

Applying these principles to the case of Berar, I would suggest that the franchise to vote for the election of a member of the Berar Provincial Legislative Council be conferred on.

- (a) the Municipal electors in Municipalities where the right to elect Municipal members exists;
- (b) persons who would have been Municipal electors had the Municipal Committee been a partially elected one;
- (c) land holders who are Taluq Board electors;
- (d) All persons assessed to the income tax;
- (e) All non-agriculturists who though not assessed to the income tax would under the new rules be assessed to the District Education cess.
- (f) All landholders who though not registered as electors of Taluq Boards pay Rs. 50 and above as land revenue to Government, or hold in proprietary right land wholly or partially exempted from land revenue, which if assessed to full land revenue would have been assessed at Rs. 50 and above.
- (g) All tenants in Jagir, Palampat or Ijara villages who cultivate land which if fully assessed to land revenue would have been assessed at Rs. 50 or above and who are (1) Ante Jagir, Ante Palampat or Ante Ijara tenants or cultivators, (2) permanent tenants, (3) privileged

tenants, (4) tenants for a fixed period of 5 years and upwards, (5) tenants who have been cultivating for 12 years and upwards.

- (h) Tenants of Khalsa land who hold under a lease for 5 years and upwards land which is assessed at Rs. 100 and above to Government land revenue.

Under the above mentioned qualifications the total number of persons in Berar in enjoyment of the franchise would probably be not less than 75000.

The number of electors in the Municipalities returning elected members is about 13500, that is, between 8 and 9 per cent of the total population of these towns. Taking the same per centage for the Amraoti Camp, Ellichpur Civil Station, Ellichpur City and Baldana Municipalities and making allowance for the large number of poor people in Ellichpur City, 3500 might well be taken as the total number of electors in these latter Municipalities, and the total number of Municipal electors about 17000. The number of Municipalities in Berar is very small as compared to what it is in the Central Province Districts. I expect that under the extension of Local Self Government which must take place, more Municipal Committees will be established and the total number of these new electors can safely be put down at 8000. But for the purpose of the present calculation I would proceed upon existing facts. The present number of Local Board electors is according to the statement laid before the Central Provinces Legislative Council on the 7th March 1918 about 2500. According to the figures given in Appendix K of the proceedings of the Central Provinces Legislative Council held on 29th July 1918 the number of tenants and ryots paying Rs. 50 and above is about 30400. The figures given in columns 2, 3 and 4 of the aforesaid Appendix cannot possibly be correct. Excluding Melgbat there are in Berar 394 Ijara villages, 188 Jagir villages, and 16 Palanpat villages. In every one of these there are co-sharers who hold or own land which if assessed to full land revenue would pay Rs. 50 and above. At the same time there are cases in which one family or set of families own more than one Jagir or Ijara village making a allowance for this fact the number of persons having proprietary rights in Jagir and Ijara villages can well be taken to be at least 3000.

The number of tenants in Jagir and Ijara villages who would come in under the Scheme would I think be about 8000. In one of the representations which the Ijarlars made in 1917 to the Committee appointed to consider tenancy legislation it was admitted that 40 per cent of the existing tenants were of more than 10 years standing. Tenants of Khalsa land coming under clause (h) would be at least 2000.

Income tax payers are about 8000. Of these nearly 60 per cent might be taken as land holders also, coming under clauses (c) and (f). So between 3000 and 3500 will probably be the number of income tax payers who are not land holders also. The number of non-agriculturists assessable to the Education cess whose income is not assessed to the income tax cannot be less than 3 times that of the non-agricultural income tax payers, i. e., would be about 10000.

The total population of Berar is about 30,00,000 out of which adult males number between 700000 and 800000. The franchise in the manner suggested would bring in not less than 10 per cent. This is not an unsatisfactory beginning. As to the representative character of such a Chamber there can be no question.

It is often said that the interest evinced in Municipal and Local Boards election is exceedingly meagre. This assertion is not quite correct in regard to Municipalities where instances can be given of as many as 50 per cent of electors going to the polls. In regard to Local Boards it might be asked how could general interest be evoked for bodies which have no powers, no initiative, but are merely the agents of District Boards to spend money. The long distances to be travelled have also to be considered. There are instances even herein of 25 per cent going to the polls at times. When the prize of an election is entry in an assembly vested with important functions and substantial rights, the ambition to get in will be manifested by several persons and vigorous canvassing and keen competition may be counted upon. I expect this in the greater part of Berar and in Nagpur and Wardha Districts and in parts at least of Chanda and Bhandara Districts. It must not be forgotten that in various parts of these tracts were held not long ago meetings and political demonstrations which were attended by thousand and thousands.

Means for direct election.

In view of the long distances to be travelled there should be three to five centres in a Taluq. The Berar Taluqs (excluding Melghat) contain on an average 320 villages and to secure adequate facilities for recording votes such centres should be provided. To prevent personation, the attendance of the village officers, Patels and Patwaris would be necessary for identification.

Communal representation.

Communal representation is not laid down or prescribed for any community in the Central Provinces and Berar in regard to either the Council of the Governor General or the Provincial. The only community in regard to which the question can arise is the Mahomedan community and for it also no special representation is prescribed or was ever asked for. In the Central Provinces the Mahomedans are few and scattered over long areas. In Berar they constitute between 7 and 8 per cent of the population; and the question of their separate representation has never arisen. The relations between Hindus and Mahomedans have been fairly smooth all along, and it is a fact worthy of notice that in Municipal and Local bodies Mahomedans have been elected by electorates the majority of which consisted of Hindus; and both in Amraoti and Akola as also in other places the number of Mahomedan members has generally been in excess of their proportion of the general population. I am in entire agreement with the position advanced by the Rt. Hon'ble the Secretary of State and H. E. the Viceroy in regard to communal representation. Far seeing statesmanship and genuine patriotism on the part of administrators and the people alike demand that as little scope as possible is given to clannishness, cliquism and fissiparous tendencies. Because the Government is committed in other provinces to separate Mahomedan representation can be no ground for extending that questionable principle to these provinces. At the same time I fully recog-

nize the justice and propriety of assuring an adequate representation to that important community. In all probability a fairly proper number would be returned in the elections by the general constituencies. In case there is not a lequate representation, the deficiency should be made good by nomination. If however it is held that due representation of Mahomedans can be secured only by the creation of a distinct Mahomedan constituency constituted on the lines on which the general urban and rural constituencies are proposed should be, I for one would not oppose it. If special representation is provided, Mahomedans should not be allowed to vote as electors in the general constituencies.

Depressed Classes.

I take these to mean the classes which are regarded as untouchables by the generality of orthodox Hindus—Mahars, Chamars, Dhors, Mangs, Khatiks, Sweepers etc though a considerable section of the educated community is working for the amelioration of the condition of these classes and though the members of these classes, who do not follow dirty occupations are allowed to enter their houses, it must in fairness be admitted that the disabilities to be removed are so many that there should be a member to represent their views, wants and aspirations. The only feasible method appears to me for the Government to nominate one

Representation of special interests.

The representation of Ijardars and Jagirdars is necessary as their interests are distinct from and opposed to those of the tenants who outnumber them manifold. The large landholders of khalsa villages would, when properly educated, serve to counteract the influence of impatient theorists on the ordinary peasants. The representation of commerce, industry and of science and superior learning is only the application of accepted principles

Number of nominated official members

The general rule should be that four-fifths of the Council should consist of elected members and one fifth nominated. Of the nominated, one-third should be non-officials and the rest officials, including members of the Executive Council who should be ex-officio. The Governor should be a member in addition and entitled to preside whenever he chooses to attend.

Scheme for the size and composition of the Berar Council.

The Berar Council should consist of 40 members of whom 32 should be elected and 8 nominated, not less than 3 of the nominated to be non-officials and not more than 5 officials, including the 2 members of the Executive Council, who should be members ex-officio. The 32 elected members should be elected by the following constituencies if no separate communal representation is to be given to the Mahomedans.

A. Territorial.

1. Urban Areas	...	...	8
The electors of the Amraoti Town Municipal Committee			1

Akola Municipal Committee 1
 Other Municipal Committees in the
 four Districts.

2 for Akola	}	6
2 for Amraoti		
1 for Buldana		
1 for Yeotmal		

(It is expected that all towns with a population of 5000 and above will be constituted Municipalities as they ought to be.)

2. Rural Areas	...	17
Amraoti District	...	5
Akola District	...	5
Buldana District	...	4
Yeotmal District	...	3

Special Interests.

Jagirdars and Polanpatdars including in the terms all the members of the proprietary bodies who have the qualifications above mentioned.	}	1
Ijardars including co-sharers who are qualified.		
Large landholders who pay rupees 1000 as land revenue of khalsa land	}	1
Commerce and trade		
Industries	...	2
Graduates having two degrees or graduates of 10 years standing of recognised Indian, British, Irish or Colonial Universities.	}	1

If separate communal representation is to be given to Mahomedans then they should be allowed to elect 3, these 3 seats being obtained by reducing the rural representation of Amraoti, Akola and Buldana to 4, 4 and 3 respectively.

If Berar is formed into a separate "Sub Province" or "associated province" the form of Government should be :—

One Governor for the Central Provinces and Berar to be styled the Governor of C. P. and Berar. Salary, allowance and expenses chargeable 60 per cent to C. P. and 40 per cent to Berar.

An Executive Council consisting of two members—one European official and one Indian non-official.

One minister chosen by the Governor from among the elected members of the Council.

The post of Commissioner should be done away with. There are no Commissioners in Madras. The members of the Executive Council can exercise the supervision, control and guidance and secure the necessary uniformity in the administration of the Districts which are done by the Commissioner.

For the sake of economy many heads of Departments might well be common to the Central Provinces and Berar the charges being shared equitably.

If Berar is not formed into a separate sub province or an associated province, with a separate Legislative Council, exercising the same powers and discharging the same functions as other provincial councils, a course, which it is thought will remove her chief grievance, is suggested by some high placed sympathetic officers. It is admitted by them that for the purposes of special legislation for Berar needed by its circumstances—e.g., in regard to the land revenue system, land tenures, tenancy, laws relating to hereditary and other village officers, village servants, Local Self Government &c. and also for taxation and for the discussion and passing of the budget a special council should be established; but that for the discussion of questions of general importance and for the framing and moulding of laws the main provisions of which would be with slight variations applicable to both areas, there should be one Council. I do not know what good will be served by such a mixed Council in which the most important things relating to Berar cannot be discussed, which cannot vote one pie of Berar money and in which the discussion of matters relating to Berar cannot legally be carried on. I do not know that the Central Provinces people would like that, while they have no power to deal with Berar laws, Berar taxation and Berar Budget, the members from Berar should be able to influence the disposal of their finances and the framing of their laws.

Assuming that the course now mentioned will meet with the approbation of Government and the Parliament, it will, I fervently trust, be ever kept in view that the composition of this mixed Council must be based on just, equitable and intelligible principles. The present representation of Berar is quite inadequate. The numbers of elected and nominated nonofficials from the two areas ought to be proportionate to their respective revenues, or if the franchise is the same, then proportionate to the numbers of electors. According to revenue the members from the Central Provinces & Berar should be in the proportion of 60 Central Provinces and 40 Berar. No member of the Berar Council can be excluded from the joint Council, the size of which will in that case have to be of 100.

As to the form of the Executive Government in this case, there will have to be four Executive Councillors, i.e. two European officials & two Indian non officials, one of each for the Central Provinces and one of each for Berar and one minister for each. Whether there are two completely separate Legislative Councils and Executive Councils the expenditure will practically be the same.

The Indian Legislative Assembly.

I think that the number of members should be at least 125 in

view of the areas to be represented. Areas like Berar, Coorg, Ajmere, Merwara, the North Western Frontier Province which have no representation, should be given representation. Four-fifths of the members should be elected and one-fifth nominated. Of the latter not less than 9 should be non-officials and not more than 16 officials and ex-official members, the ex-officio members being the Governor General and the members of his Executive Council.

The present representation given to the existing Legislative Councils, the large land holders, the Chambers of Commerce &c. should be continued. In addition to them there should be further representation by election as follows:—

Berar Legislative Council	...	...	1
Legislative Councils for the provinces when these are created, one for each	...	...
Indian Commerce and trade	one for each province	...	9
Indian Universities, one each	...	...	10

The remaining seats should be allotted to territorial representatives to be elected by the members of the Municipal Committees and Local Boards for each Division of a province, Madras Presidency to be treated as having four Divisions for this purpose.

(The representation of Ajmer, Merwara, Coorg, The North-Western Frontier Province and the territorial representation of Berar would come under this.)

Direct representation to the Indian Legislative Assembly by the electors of the Provincial Councils does not seem to be feasible just now, as the size of the constituencies will be too large to permit of the candidates getting into touch with the electors. The whole Scheme being tentative and experimental, the suggested procedure is worth trying.

The Council of State.

Half the number of members, i. e. 25 should be elected four should be nominated non-officials and 21 officials.

Of the elected members 15 should be allotted to the existing Provincial Councils as proposed in paragraph 277 of the Report, one to the Legislative Council of Berar or to the Body to which might be assigned the function of legislation, taxation and the application of revenues in Berar, two to Mahomedans, two to the landed interests, two to commerce, one to industries, one to the members of the Senates of Indian Universities, one to the territories of British India like Ajmere, Merwara, Coorg and the North-West Frontier Provinces which have no Legislative Councils of their own.

Division of Functions.

The principles laid down in paras 212, 213, 233, 239, 240 of the Report are fully accepted by me subject to the remarks made below.

In the Memorandum which I submitted to the Secretary of State and the Viceroy in December 1917, I recognised the necessity of differential treatment of functions and subjects and distinguished between "autonomous powers" and "reserved functions". The fundamental principle of the grant of responsible powers in progressive stages has, I submit, to be given effect to, and a definite advance to be made in the first stage. Schemes or proposals which do not recognise the application of this principle to any extent are, I submit, out of court. The second formula laid down at page 93 of the Report should, I submit, be accepted by the Local Governments and the people alike. The enlargement of Provincial Councils with a preponderating elective element, the establishment of executive councils in provinces where none exist at present, the provision for the reservation of half the councillorships to Indians are no doubt a very substantial association of Indians in the work of Government. But they cannot in themselves constitute the introduction of responsible Government. The feature of criticism without responsibility which is the fault found with the present system, will not only continue, but will become more marked, and the danger of deadlock will be serious under the schemes propounded by the objectors to the joint report. Above all, such schemes fail to recognise that the basic principle deliberately announced by His Majesty's Government through the Secretary of State on the 20th of August 1917 will stand ignored. It should be remembered that this announcement was hailed with joy as a charter from one end of India to the other by all classes and sections of the people, and it is eminently undesirable to shake the faith of the people in the British nation, and British statesmanship. Objections about unworkableness in practice can be urged against every scheme of reform and progress by putting forward hypothetical extreme cases. The choice lies between gradual and steady development and "a precipitate plunge forward from total irresponsibility to complete responsibility".

With the principles laid down in the Report about the control of the Government of India over Provincial administrations and the powers of advice and guidance to be exercised by the Governor in regard to transferred subjects I am in general agreement and have no special remarks to offer.

The illustrative list of subjects or functions to be assigned to the Provincial Governments is, in my judgment, fair; and the second list setting out the subjects and functions in regard to which responsible powers may be given to the Provincial Councils should, I hold, be accepted in its entirety by Provincial Governments as a just measure of devolution and by the people as a safe and sound first instalment of advance.

To list II, I should like to be added after "Development of arts and crafts and local industries" the words "and other matters pertaining to provincial industries".

It is not clear what is meant by "8 Forests (unclassified and some protected)", I would urge the inclusion in List II of the whole of "Forests and forest produce" in List I.

6 Agriculture.

Civil veterinary diseases of animals &c" of List II is, I trust, intended to include the whole of "7 agriculture" mentioned in List I. If such is not the intention, then I submit the whole of 7 in List I should be among the transferred subjects.

All these three matters are matters calculated to promote the development of the material resources of a province and the improvement of the condition of the people. Great interest is already being taken in these by the educated classes, and there is every likelihood that if these subjects are transferred, marked progress will be made in creating new industries and developing the existing ones. Another matter which should be cleared up is the power of appointment. I submit that to the extent that any subject is transferred the power of appointment to posts belonging to the subject should also be transferred to complete the responsibility for that subject. This of course does not mean that the appointment to every post has to be made by the council or the minister, but only that the power and control which at present are vested in the Provincial Government will be transferred to the minister. I entertain no fears that the administration of the transferred subjects mentioned in List II and in the foregoing portion of this paragraph will be carried out inefficiently or with deliberate impropriety. Mistakes might be made. But no child can learn to walk without having falls and getting knocks. And for the matter of that are there not mistakes and at times wrong things committed under the purely official regime all over the world?

The Central Government.

All subjects and Departments which are not provincialised will pertain to the sphere of the Government of India, with the exception of course of those which Parliament may reserve to itself or its agent the Secretary of State. But while I accept formula III generally and agree to the provisions in regard to fiscal legislation and the Budget as set out in para 284, I think that the administration of the following departments might well be among the transferred functions, viz. Posts, Telegraphs, Railways (with the exception if so desired of purely military railways), Customs, Salt and Commerce and Industry. In regard to these, as in regard to every matter, the Indian Executive authorities and the Indian legislature will be bound by the policies and arrangements determined for the Empire by Peace Conference, the Imperial War Cabinet and the Parliament. Subject to these and subject to the laws of India as passed by the Indian Legislature, the administration of these departments might well be transferred. As submitted in the Memorandum in which I have embodied my opinion on the Report on Constitutional Reforms, the application of the principle of transfer in the subjects within the sphere of the Government of India should not be completely excluded for 10 years as proposed in the Report, but should be applied to the departments mentioned above.

Central Provinces and Berar

With these general observations I proceed to deal with the case of the Central Provinces and Berar.

In the opening portion of this Memorandum I have submitted that so far as the Central Provinces and Berar go there is important question of the creating of a separate Legislative Council for Berar which claims priority and will have first to be determined. The settlement of that matter is of almost prima necessity in determining what functions can be and should be allotted to the Central Provinces Legislative Council. It having been definitely ruled that Berar is not British India that it is not within the competence of the Legislative Council of the Governor General or the Central Provinces Legislative Council to make laws or regulations for Berar, to impose taxes or otherwise raise revenue therein or under the scheme formulated in the Report on Constitutional Reforms to settle the application of that revenue, or to frame and pass its Budget, the only course by which justice can be done to its people, and by which they can be placed on a level with the residents of the British Indian Districts, is to establish a separate Provincial Legislative Council for it. The peculiar position of Berar is in a manner recognised at the end of par. 246 of the Report. But the legal and logical necessity is not sufficiently dealt with. It is fervently trusted that Berar's prayer of equal position and equal treatment will not be left for future treatment, but that her elevation will be carried out concurrently with the elevation of the other parts of India under the British administration.

I admit that administratively Berar has derived considerable benefit by being placed under the Chief Commissioner of the Central Provinces. Immense improvements have been made and many highly beneficial schemes of public utility carried out. She has received from the successive Chief Commissioners far more continuous and sympathetic attention than or could be bestowed by the Residents at Hyderabad who were weighted with heavy political work and were living at a great distance. She is regarded as a partner whose partnership is valued, but she had to pay a very very heavy price for the improvements that have been secured. Between 300 and 350 lakhs of Berar revenue - if not more - have during the past 15 years been utilised as if it was money raised in the Central Provinces, and applied for expenditure incurred in Nagpur and the Central Provinces Districts, while the pressing needs of Berar were postponed. Out of nearly 176 lakhs raised in Berar in 1916 - 17 only 61½ lakhs were spent in that sub province: her share of the expenditure on account of Central Offices (say one third of the total) would come to between 5 to 6 lakhs; about 68½ lakhs went to the Government of India as Imperial revenue or its share of divided revenues; and the balance - nearly 40 lakhs - remained with the Central Provinces Administration. I say nothing of the exceedingly meagre share which Berar has been receiving out of the Imperial grants which the Central Provinces have been getting since 1911.

In spite of these grievances of the past and the present it is to the interest of the two territories to be associated as partners in administrative matters. Complete assimilation there cannot be on account of constitutional difficulties and political considerations. They cannot

in law, be unified in legislation, taxation and the raising and application of the revenues. There are two courses open to Government for the formation of the Executive Governments and the Legislatures for these two areas. One is to have a common governor only and to have two separate executive governments consisting of two members each (one European official and one Indian non-official) and one minister for each. The Governor with the Central Provinces Councillors and Minister would be the Executive Government for the Central Provinces, and the governor and Berar Councillors and minister would be the Executive Government for Berar. Each council would hold its sittings separately in regard to their respective territorial matters, but authorised to sit together for the consideration of common questions of policy and principle, and measures relating to common administrative arrangements. The other course is that, while the councillors and the ministers are as above, they all sit together as one common executive government, but when it comes to voting the Central Provinces Councillors or Minister would have ^{two} votes in regard to Berar matter and **vice versa**. I think the former is the simpler course. It secures association, mutual cooperation and spirit of co-working, wider outlook and an accommodating frame of mind, while no scope is left for opposition and friction.

The question of transferred subjects will have to be treated differently for the two areas. With the exception of Melghat Berar is a homogeneous tract with a fairly equal measure of intelligence and advance. It is a part of Maharashtra and the people are practically on the same level as those of the Deccan. I feel no hesitation in asking that all the subjects specified in List II with the additions suggested by me above should be transferred in Berar. The case of the Central Provinces presents greater difficulty on account of the wide divergence between the capacities and advance of different tracts, which range from the primitive condition of the forest tribes to the advanced and progressive spirit of the Nagpur Division and some of the Hindi districts. It would not be desirable to deny the grant to the full of the proposed privileges to the advanced tracts on account of the unpreparedness of the backward tracts and differential arrangements will be necessary.

Confining my remarks to Berar and the fairly advanced tracts of the Central Provinces I submit that the full measure of transfer suggested above can without risk of a breakdown be carried out there in and should, therefore be effected. I would deal with some of the chief subjects to support my position

Education.

Primary education in Berar is entirely left under the charge of Municipal Committees or District Boards. In 1911 it was calculated that 60 to 62 per cent of the boys of school going age were under instruction in Amraoti. The condition is not far behind in the other Municipalities. Municipal Committees and District Boards not only supply the funds but appoint the teachers. The growing demand for education is responded to by these bodies with fair alacrity.

The demand for secondary education also is increasing and several Municipal Committees have opened middle schools when the Government institutions were found unable to meet the demand. Elli-

Amraoti has a Municipal High School. There is thus clear evidence of the existence of a spirit to go with popular demand to conform to prescribed standards and methods and to make on the whole suitable selections of employes: and this is so both in regard to primary and secondary education.

The only important Technical Institution in the Province is the Berar Victoria Memorial Technical Institute of Amraoti. It owes its origin to the recognition by the leading spirits amongst the people of the necessity of scientific and technical instruction. The success of the new Government carpentry school attached to the Institute and the springing up of workshops, and large number of factories of various kinds indicate the awakening of the industrial spirit, the encouragement of which by the prominent men of different communities can be depended upon.

Sanitation.

Though the sanitary arrangements of even Municipal towns are not as satisfactory as should be, there can be no question that these towns are far cleaner than what they were only a quarter of a century ago, and that considerably large amounts are devoted to improve water supply, drainage and conservancy, than what used to be before. Progress though on a smaller scale is observable in the villages also. Sanitary improvements are mainly a question of money and when the responsibility is thrown upon them the people will recognise the need of raising funds and insist upon the proper application of the same.

Medical relief.

This again is a people's matter. The considerable number of medical practitioners trained in modern methods who are now to be found well established in most of our large towns and the full use made of Government and Municipal dispensaries testify to the growing popular appreciation of scientific medical treatment. Extended facilities for medical relief are urgently needed and it should be to the people's representatives that the task should be allotted.

Development of material resources.

I have already urged above that there is a practical consensus of opinion that our arts, handicrafts and local industries ought to be developed far more than what they are at present, that forest produce ought to be utilized for industrial purposes to a far greater extent than has been done hitherto, and that agriculture though considerably developed will greatly benefit by the demonstration of superior methods and practical inculcation in the use of modern machines and implements and scientific manures. There should be no hesitation in transferring agriculture, forests and industries.

Public works.

There is no reason to say that there is not sufficient appreciation of the necessity of good roads and decent public buildings amongst the people of Berar. What the Municipalities and District Boards have done and what is done by many a private individual prove the preparedness of the Province for being entrusted with responsibility in regard to these matters.

Amraoti }
 November 1918. } *R. N. Mudholkar.*

APPENDIX

Extract from the Memorandum in regard to the matters which Rao Bahadur R. N. Mudholkar, C. I. E., Advocate, Amraoti (Berar) wishes to place before His Excellency the Viceroy and the right Honourable the Secretary of State at the interview to be granted to him on the 1st January, 1918.

For over 7 years I submitted notes urging a view supported by eminent authorities that, under the tenure under which Berar is held since 1902, it can for purposes of legislation and administration be treated as British India and that, without in any way infringing the terms of the treaty with His Highness the Nizam, it was in the power of the British Parliament and Government to include Berar within the operation of the Indian Councils Act, and to frame laws and regulations for it in the Legislative Councils established under these Acts. The Secretary of State, however, has given a definite ruling that this is not permissible. It has therefore to be considered now what should be done in regard to this province. That it is a territory of considerable importance and value cannot be denied by the most severe critic. It is a part of the Indian Empire over which the rights of Government, though of a leasehold character, are as permanent, as plenary, as free from foreign control as those over the British Indian Districts held under what can be called a proprietary title or in full sovereignty. There can be no doubt that the British Government do not feel any less interest in the people of Berar, or any less solicitude for their contentment, well-being and advance than what is entertained for the people of British India. To secure therefore that measure of justice and equal treatment to which Beraris are entitled, some effective and workable scheme has to be devised.

Laying aside for a moment the question of the extent of the powers to be conferred on the Legislative Councils hereafter, it will have to be admitted that the first thing to be done is to create a separate Legislative Council for Berar and to assign to it the same functions, powers and responsibilities that would be conferred on the Provincial Legislative Councils of British India. The necessity of this in regard to legislation is obvious. Laws and regulations for Berar are not, and can not be, according to the view of Government, enacted by either the Imperial Legislative Council or the Central Provinces Legislative Council. The method adopted in regard to general laws is to "extend" such of them as are deemed necessary by Government by the mere issue of a notification of the Government of India in the Foreign Department, without any consultation of popular views or an opportunity to the public to express their opinions or make suggestion. In regard to special laws required by special circumstances, some have been drawn up and promulgated without consulting the public; while in regard to some others the device of a committee *ad hoc*

selected by the Local Government was adopted. It is not in the power of a non-official member of the Central Provinces Legislative Council to bring in a bill in regard to a Berar matter as he can in regard to a Central Provinces question.

There is no obligation on Government to appoint even such a Committee. The composition of these committees is not regulated by any rules. Even the non-official members of the Central Provinces Legislative Council who represent Berar are not necessarily included; and though personally I have no cause to complain, the selection is in the absolute discretion of the Local Government which acts under the advice of the Commissioner. The members have no power to move amendments or propose additions. There is not even that qualified debate which can take place in the British Indian Legislative Councils under the present system.

It is submitted that this one drawback in the existing system viz. the method of legislation is in itself sufficient to support the demand for a separate Legislative Council for Berar. But the question arises that if the Imperial Council or Central Provinces Council cannot legislate for Berar, can they discuss or determine the application of the revenues imposed in Berar? I presume that the British Indian Legislatures will be invested with greater powers of financial control than they possess at present. Assuming that the Budget will be regularly debated upon and resolutions moved in regard to the raising and application of the revenues, neither the Imperial nor the Central Provinces Legislative Council can exercise this function and power in regard to Berar, and Berar people will be denied even such voice as the residents of British Indian Districts may obtain in the application of their finances. Berar has a serious grievance in this matter. The plea for equal position and equal treatment is based as much on practical necessities as on general principles. Some 25 lakhs to 30 lakhs out of Berar revenues are every year spent for supplying the conveniences of the Central Provinces Districts, while long-recognised needs of Berar remain unheeded. This unfair treatment is deeply felt by the people. Something like 300 lakhs of rupees out of the Berar revenues have been since 1905 spent on the Central Provinces Districts, especially Nagpur where palatial structures for Government officers and bungalows for the officers of Government, such as never existed before, have been constructed, while Berar was denied the railways which were among the sanctioned projects of the Government of India for 30 or 25 years, and the necessity and remunerative character of which are unquestionable, the urgently needed placing of Amraoti on the main railway, the roads, the college, the schools, the sanitary improvements and medical facilities so greatly needed, so clamantly asked.

It is open to serious doubt whether strictly speaking interpellations in regard to Berar can be put and resolutions moved in the Central Provinces Legislative Council or the Imperial Legislative Council, especially if under

the new reforms the vote of the Council will be made more effective and binding upon the executive Government subject to safeguards and restrictions.

The position of Berar is thus not only anomalous and precarious but spells injustice, hardship and inferiority. The connection of Berar with the Central Provinces is only 15 years old; and there is not available even the specious ground of long tradition or intimacy of connection to urge against a readjustment demanded alike by justice and convenience. The land tenures are different, the revenue systems are different, the vernaculars of the two territories except as to a small area are not the same, the village institutions are in many respects dissimilar and the Schools of Hindu Law governing the two territories are not the same. I would request consideration of my Notes of 1905, 1910 and 1912 submitted to the Government of India in regard to the legal question and the hardships and inconveniences arising from the present system.

The treatment of Berar, therefore, as a separate entity in regard to the legislative and administrative machinery can be easily effected, more easily in fact than a real amalgamation and fusion of the two areas.

One consideration which might be borne in mind in connection with Mr. Curtis' scheme is that, here in the case of Berar there is a territory which is not too large like the major provinces for the application of the system of partially responsible Government. As advocated in the Berar addresses, the two territories should be placed under a Governor, but with separate Executive Councils and Legislative Councils and distinct finances. The joining of Berar with the Central Provinces has not resulted in any saving of expenditure as was thought possible at one time; and apart from advantages to individuals, there is no reason why all the Berar departments, except the Post and Telegraph, should not be separate as before 1903-04. In regard to some departments like the Police, jails, civil hospitals, sanitation, there might be one head for the departments of both the sub-provinces.

The land-holders of Berar have no representation in the Imperial Legislative Council like those of the other provinces of British India nor is there the general representation of the province. The Central Provinces had a right of representation even when the total revenue of the province was less than a crore and a half rupees. In 1906, the Chief Commissioner in suggesting names to the Government of India for appointment to the Imperial Legislative Council, had to point out in regard to one person, whose name he particularly wished to bring forward, that he feared that his being a resident of Berar might come in his way. Till our agitation of 1910, a born Beraree was not eligible for appearing for the Indian Civil Service Examination. And even now, under the rules for the election of a representative to the Imperial Legislative Council by the non-official members of the C. P. Legislative Council he is not eligible to be

a candidate unless his ineligibility is removed by the Governor-General in Council.

The political status of Berar is considered to be so distinct from that of the Central Provinces Districts that every notification desired to be of general application has to be printed twice, once for C. P. and, the second time for Berar. The Judicial Commissioner and the Additional Judicial Commissioners for Central Provinces have also to be specifically appointed as Judicial Commissioners and Additional Judicial Commissioners for Berar. Berar cases can be dealt with by the Chief Court under Berar jurisdiction only. Similar is the case in regard to the Financial Commissioner.

From 1853 to 1903 Berar was a separate and distinct administrative unit as a province by itself, under the British Resident at Hyderabad and the Government of India. It should be made so again and placed under a Governor at Nagpur, who should be Governor for the Central Province and for Berar. And this can be done without any loss to the Imperial Exchequer, and without any cost to the Central Provinces treasury. What is prayed for is Justice and nothing more.

Memorandum by the Hon'ble Rao Bahadur N. K. Kelkar on the Reform Scheme to be placed before the Committee on Franchise.

I practised as a pleader in the Central Provinces for about 25 years. In June, 1916, I joined the Servants of India Society founded by the late Mr. Gokhale. While I was practising I served on the District Council, Balaghat, as a member for about 10 years, and on the Municipal Committee of that town for about 24 years in different capacities. I have been an elected member of the Central Provinces Legislative Council ever since its existence. I have been connected with the co-operative movement in the Central Provinces since 1905, and at present I am working as Governor of the Federation of Co-operative Banks in the Central Provinces and Berar.

2. *Reference I.*—(i) For the purposes of this reference I take the figures from the Census Report of 1911. I take the total figures of the Central Provinces and Berar as, in my opinion, there must be but one Legislative Assembly for these two parts. I shall state briefly my reasons why I consider that for administrative purposes the Central Provinces and Berar should be amalgamated. In round numbers the total population of the two Provinces is 14,000,000 approximately, made up as follows:—

(a) Hindoos (Brahmanic)	12,800,000
(b) Animists	2,500,000
(c) Mohamedans	585,000
(d) Christians	73,500
(e) Jains	71,500
(f) Sikhs	2,400
(g) Zoroastrians	1,800
(h) Aryas	1,000
(i) Jews	125
(j) Brahms	35
(k) Buddhists	10

Numerically classes (f) to (k), both inclusive, appear to be negligible. To the best of my information Sikhs have not got permanent interest in these parts. The small community of Sikhs appears to have migrated into these parts either for Government or Railway service or for undertaking some contract works. It is only a very small number of them that seems to have settled here permanently. In my opinion they do not deserve special representation on the local Legislative Assembly.

3. The case of Zoroastrians is somewhat different. They have got commercial interests in the land. The community itself is averse to separate or communal representation. Whatever interest they have acquired in the land can be adequately protected by bracketing them in the group of general taxpayers. The last four communities need no comment, and I believe I am right in saying that they do not need or deserve separate representation.

4. The Animists are a very backward community in every respect such as education, public spirit, political aspirations, etc. Their interests are in many respects identical with those of the principal major communities in whose hands their interest will be safe. I am not inclined to give them separate representation. Indeed I think it will be a mockery of representative institution to give this class in these Provinces a separate representation. The Christians and the Jains are comparatively advanced communities who contribute substantially to the State revenue. But their political and social interests are so closely identical with those of the principal communities that I do not think that they need or deserve any special or separate representation. The representation of the Mohamedans is not hedged round with the difficulties we meet with in other parts of the country. In spite of the religious disturbances that took place about two years ago in Burhanpur and Jubbulpore, I maintain that the relations between the Hindoos and the Mohamedans in these parts are generally friendly or cordial. The disturbances above referred to were, in my opinion, due not to any deep-rooted jealousy or animosity, but were caused by circumstances brought about by some mischief-mongers from the neighbouring Provinces. The desire that is at times expressed by some Mohamedans

for a separate representation on the local bodies or elsewhere is in any opinion a half-hearted imitation of what is taking place elsewhere. In my opinion it is not genuine, and to my knowledge demand for separate representation was never pressed seriously. Our Municipal or Local Board Laws, or the rules made thereunder, do not recognize the claims of the Mohamedans for a separate representation. To my knowledge this absence of recognition was never made a grievance of by the community. The Provinces send two representatives to the Imperial Legislative Council, but no separate seat either on that Council or on the local Council was ever claimed by the Musalmans. To my mind the silence of the Mohamedans to assert their rights for a separate recognition is not due to their ignorance or conviction that they would not be able to compete successfully with the other communities, especially Hindoos. In my opinion it is largely due to mutual confidence of trust and good will.

5. The so far harmonious relations between the Hindoos and Mohamedans in these Provinces are likely to be disturbed if separate representation is allowed to the Mohamedans. From my personal experience I can say that the Mohamedans or persons professing the Moslem faith have so much identified themselves with the Hindoos that even in social matters they are accustomed to look upon many things with the eyes of the Hindoos. There are judicial decisions to the effect that Mohamedans in the Satpura Districts (not merely converts but persons treated as pure Mohamedans) are, in matters of inheritance, governed by the Hindoo Law.

6. The Mohamedan population in the Central Provinces and Berar is very small. Taken as a whole they comprise about 4 per cent of the total population. Taken separately they comprise about 3 and 8 per cent, respectively in the Central Provinces and Berar. Educationally, commercially or otherwise they are not so advanced as to merit a number of seats proportionately larger or far in excess of their population. All they can claim or ought to get is a small number of seats in proportion to their population. The assignment or allotment of a small number of seats won't place them in a better or more advantageous position. I have stated before that separate representation to the Mohamedans would tend to disturb their harmonious relations with the Hindoos. In addition I may urge that its direct consequence would be to upset the time-honoured practice which has acquired the force of customary law in these Provinces, and which, for political purposes, has scrupulously refused to recognize caste or communal distinctions.

7. If we allow separate representation to the Mohamedans in the Legislative Assembly of these Provinces we cannot logically resist their claim which they will be encouraged to put forward for separate representation on the Local Bodies. Such a contingency was, I believe, not within the contemplation of the illustrious authors of the Scheme under discussion. The object of the Scheme is to improve upon the existing practice and to build a solid structure thereon. The object is not to introduce new elements, the likely consequences of which will be to bring about disruption or disunion or foster a spirit of jealousy and distrust. The system of responsible Government can be rooted in the development of representation on national basis. It is recognized that communal representation is fatal to such development. Responsible Government is the goal aimed at by both the communities. In a Province like the Central Provinces it would be most undesirable to introduce new and unknown or not seriously claimed concessions which are sure to delay almost indefinitely the achievement of the ultimate object in view. I would, therefore, respectfully urge that in these Provinces the scheme may be tried without a separate representation to the Mohamedans. I make this appeal in the interest of all concerned, and not with any selfish motives in favour of any one community or in a spirit of hostility against another.

8. I may be permitted to say a few words by way of reply to the only two grounds on which the claim for a separate representation can, with some show of reason, be sought for. In the first place it is said that Government

has given a solemn pledge to the Mohamedans for a separate communal representation and that the recognized political leaders in the country have acquiesced in this pledge.

9. We all know that the alleged pledge was given at a time when responsible Government was not only not promised but it was denied. The alleged pledge was meant to be applicable to those provinces only where there were Council Governments and not to provinces like the Central Provinces where there was no council, and the idea of giving a council to the Central Provinces was not even conceived. This is amply borne out by the fact that even under the Morley-Minto Scheme the Central Provinces Mohamedans' right to a separate seat in the local or the Imperial Council was not recognized. Having regard to the very small population of the Mohamedans such a reservation would be unjustifiable.

10. The Congress leaders have, no doubt, decided to allot 15 per cent of the seats on the local Council to the Mohamedans. No reasons have been assigned or can be ascertained in support of this concession. It would perhaps be too bold on my part to call into question the propriety of the decision arrived at by our recognized leaders. In this particular case, however, I do not think that it would be so, inasmuch as I am convinced that the decision must have been arrived at without much thought and consideration or, at any rate, without an adequate knowledge or proper study of local conditions.

11. It is only on grounds of sentiment imitated but not inherent that communal representation can be granted or conceded to the Mohamedans in these Provinces. There are, moreover, practical difficulties in forming separate communal electorates for the Mohamedans who, both in the Central Provinces as well as in Berar, are scattered all over the Provinces. As the electorates will have to be formed from different and distant parts it would hardly be possible for the candidates to be in close touch with the voters or for the latter to have any effective control over the former. On these grounds, amongst others, I maintain that separate or communal representation for the Mohamedans in our Provinces is neither desirable nor necessary. In case, however, it is considered that such a representation is a settled fact, not liable to question or open to modification I shall specify later on the maximum number of seats that can be allotted to the Mohamedans.

12. The question as to the advisability or otherwise of treating Berar as a part or as one of the divisions of the Central Provinces is closely connected with the size and composition of our prospective Council under the Reform Scheme. I have already stated before that these must be treated as part and parcel of the same Administration. Both on grounds of efficiency and economy the combination of the two parts into one administrative unit would be desirable. I have not been able to follow the grounds on which separate administration with a separate Legislative Council is claimed for Berar. The argument that the revenues derived within the Provinces ought to be spent on local improvements merits no consideration.

13. If this principle is once accepted we cannot logically resist the claim of a district or sub-division of a district or even perhaps of a village for similar treatment. Berar forms part of the territory belonging to His Exalted Highness the Nizam. If it were retransferred to him, no reasonable objection can be raised to His Exalted Highness pooling the Berar revenues with others and spending the whole on all parts of his territories according to their respective needs. For administrative purposes the British Government is now practically clothed with all the powers of His Exalted Highness, and they cannot therefore be stopped from pooling the Berar revenues with those derived in British India proper.

14. Their complaint that Berar needs do not receive sufficient attention from the Central Provinces Administration or that the Berar representatives on the Provincial Council have little or no voice in controlling the administrative and legislative acts of the Local Administration is void of foundation. It is only with regard to purely local laws that they seem to have some reasonable

grievance. These, at present, are passed by the Executive Government in British India. I do not know the inclinations of His Exalted Highness the Nizam's Government regarding representative institutions like those under contemplation. If it is possible, Berar may be treated as a sub-province of the Central Provinces only for the purposes of special legislation like the Izardars and the tenants' law affecting only Berar or part thereof. In every other respect Berar must be a part of the Central Provinces Administration. Suffice it to say that in consequence of the permanent transfer of Berar to the British Government and also on account of the establishment of a Council in the Central Provinces with a certain proportion of Berar representatives therein the Berar people are in a much better position than before, and it is probable on that ground that they do not desire a retransfer of the territory to His Exalted Highness the Nizam. A separate administration with a separate legislative council for a small territory consisting of four revenue districts with a population of about three millions is, to say the least, a costly luxury which cannot be justified on any reasonable grounds.

15. I now proceed with the discussion of other questions on the assumption that for the purpose of carrying into effect the reforms under discussion the Central Provinces and Berar will together be treated as an administrative unit. For the purposes of franchises, direct elections and other matters referred to in the subsequent sub-clauses of the major head the Central Provinces and Berar may be treated alike.

16. My views with regard to class or interest electorates are the same as those relating to communal electorates. Nearly eighty per cent of the population are agriculturists or depend upon agriculture for their livelihood. The remaining twenty per cent represent labour, trade, commerce, mining and other industries. I cannot say what percentage of the population is absorbed by each one of these classes. Labour and artisan classes are not yet formed into organized associations. We have not got any Chamber of Commerce. Mining is a rising and prosperous industry, but only a small percentage of the local population has so far taken to it.

17. Either from the point of view of the population or from the total amount contributed to the State revenue or otherwise it is difficult to fix, especially with due regard to efficiency, the proportion of the representations of the various interests. Any attempt to fix the proportions by any one of the standards above indicated might lead to an inefficient council as the landholders, who are generally a backward and less public spirited class of people, will absorb considerably the major portion of the total number of seats on the council. I do not consider this to be desirable. Besides, we have to bear in mind the fact that, as between themselves, the interests of the landholders are either conflicting or are not quite identical. To give separate representations for these conflicting interests might lead to anomalies. I would, therefore, not have separate constituencies to represent different interests. In the case of the landholders, I think, the conflicting interests would be safeguarded or the domination of the one over the other would be considerably minimised if we have an approximately equal number of voters representing these conflicting interests. I shall explain this later on how this can be done.

18. I shall now proceed to express my views regarding the franchises. I shall still stick to the view which I have pronounced on other occasions that, speaking generally, the people in these Provinces have not yet realized fully the importance and consequences of elections, and naturally they are yet innocent of what representation means and how it leads to responsible government. That is, however, no reason for not opening new opportunities to enable people to learn by experience the value of representative institutions.

19. The system of indirect elections is rightly condemned; elections should be through as large a number of people representing different interests as possible. Therefore in the case of landholders, I would extend the franchise from the malguzars or the zamindars to the ryots, tenants and plot-proprietors.

I would extend it to income-tax payers and persons paying taxes to the Local Bodies and to others who do not fall within any of the aforesaid categories, provided they possess certain property qualifications such as an annual income of Rs. 300 or so derived from other than agricultural source.

20. In the case of the two classes of landholders it would not serve the purpose to have one uniform standard of minimum amount of revenue or rent payable by a proprietor or a tenant. This must differ from district to district. The minimum in each case may be so fixed that in every district the number of voters of each class, *vis.*, the malguzars and the tenants, may be approximately equal. The reason for this difference I have explained before. This will avoid the necessity of having separate constituencies for the malguzar and the tenants. The equalization of votes will have a sufficient check by one party over the other. I would include all the lambardars, irrespective of the amount of the land revenue they are liable to pay, in the list of voters. In any case I would not allow the minimum of land revenue or rent payable by a malguzar and a tenant to be reduced below Rs. 75 and Rs. 25, respectively. I need not attempt to discuss in this note the various details. If the main principles above indicated are accepted it will give us a reasonably decent number of voters to start with. Speaking roughly, the total number of voters would be about 2 to 3 per cent in the Central Provinces and about 4 per cent in Berar. This is all that we can aim at at present. The beginning, though slow, is decent. Having regard to the proverbial illiteracy of the people this would certainly be a distinct advance over the existing system obtaining in a province where illiteracy is a rule and literacy an exception. I would not make illiteracy a disqualification for voting. However, I consider it worth consideration that literacy coupled with certain property qualifications, even below the ordinary prescribed minimum limits, should be regarded as a qualification for voting.

21. I (2). It is by adopting the means above indicated that the system of direct elections can be initiated and gradually extended or made wider.

22. I (3). As I am not in favour of class interest or communal elections territorial electorates would be the best system suited to the conditions of these Provinces. Barring the conflicting interests as between the landholders other interests are not conflicting with each other. Many malguzars or zamindars pay income-tax on incomes derived from trade, commerce, industries and even mining. In recommending territorial electorates I have not overlooked the importance of that class of landholders called zamindars or jahagirdars who hold considerable landed property called zamindaris or jahagirs in Chhattisgarh and other districts in the Central Provinces. Their general interest as affecting the land is not opposed to that of the ordinary malguzars. Besides, educationally or politically they, as a class, are either backward or are not so advanced as to deserve a special constituency.

23. The conditions of the Central Provinces, and even perhaps of Berar to a large extent, are such that the representation of the various classes, interests or communities will, for some time to come, have to rest in the hands of the educated classes generally belonging to the Bar or to the medical profession. Only a small proportion of members, I expect, will be recruited from outside these professions. Under these circumstances I think I am justified in saying that territorial electorates would suit these Provinces best.

24. For the purposes of territorial electorates I would, to begin with, fix the revenue district in the Central Provinces and Berar as a unit. Although educationally or politically some of the districts in the Central Provinces are backward or less advanced, I would constitute each revenue district as a separate electorate. In districts in which only one interest predominates such as agriculture, I think it would be enough to assign one or two seats according to the size and importance of the district. In districts where other interests of sufficient importance and magnitude co-exist along with agriculture, it would be appropriate to assign to that district as many more seats so that people possessing different interests will have a wider field for competition. My main object

in assigning plural seats to some districts is to minimise the hardships arising out of keen competition which, partly if not wholly, may be due to adversity of interests. Whatever profession the candidates may belong to, whatever immediate interest he may have at heart, he must seek election at the hands of the entire body of voters whose names are entered in the electoral roll maintained for the whole district. It is thus that the candidates will care to be in touch with the people and will feel their responsibility to the general body of tax-payers. In this view I am opposed to the idea of reserving any seats for any towns in the Central Provinces or Berar, however important they may be otherwise. The reservation of seats for some towns may have some advantages, but the corresponding disadvantages are equally if not more important. In the first place such a reservation lacks the essential element of reciprocity or responsibility to the general body of tax-payers. The townspeople may serve special urban interests. What, however, is more especially needed is the protection or advancement of the rural interests. We have to educate properly the electorates and enlarge them. This is possible only if capable educated men in the towns mix with the people in the interior.

25. I (4) and (5). These two sub-clauses of the major head may be dealt with together. The answer to part (4) depends upon the solution of the question involved in part (5).

26. As the proper constitution of the electorate depends upon the material available for it so also the composition of the council depends upon the material available for the same. Any defects or short-comings existing in any component part of the former may not be as injurious as those existing in the latter. The composition—by which I mean the strength of the council—must be determined not only with reference to the general advance of education, public spirit, patriotism or any amount of genuine desire to render service to the country or, for the matter of that, by the amount of interest at stake, but it must be determined with due regard to the ability and willingness of the people to translate their public spirit, patriotism or desire into concrete actions. I do not mean any slur to my countrymen. I fully appreciate their zeal and enthusiasm. As against this we have to bear in mind that their activities are hedged round with innumerable difficulties, mostly due to private circumstances or limited means. Those who have got any means to fall back upon have not yet begun to appreciate fully the benefits of political rights. Those who believe in it have not got enough time to devote to the political work. Council work hereafter will consist of responsible and constructive criticism, initiation of policies and control of the administration. All this will require close study. Superficial study won't do. We shall require men for the various standing committees. All this means an amount of self-sacrifice on the part of individuals.

27. In suggesting the size and the composition of the council we must bear in mind these difficulties, no doubt beyond the control of the educated people. It is no use to ignore these facts. We must face the hard facts. Theoretically a large-sized council appears to be an excellent thing, because it opens opportunities to so many men to get an insight into the different problems connected with the administration. The question, however, is how many people will be in a position to avail themselves of these opportunities. A large-sized council means large expenditure which, if we really mean to be responsible to the tax-payer, must be justified by events. Personally I would be content with a council of a reasonable size with a large number of working members rather than to have a large-sized council with a number of ornamental members. Bearing in mind the above difficulties I am not inclined to subscribe to the suggestion made from certain quarters that the local legislative assembly should consist of as many as 80 or 100 members. The maximum strength of the local assembly may, by statute, be fixed at 75 or even 100. To begin with the council may consist of 50 members, of whom not less than 40 should be elected and not more than 10 nominated officials as well as non-officials. Out of the 40 elected members I would assign 12 to the 4 Berar districts and 28 to the 18 districts in the Central Provinces. In case it is decided that the Mohamedans in these Provinces should have a separate communal representation, I would assign

them four seats, two in Berar (one for Eastern and one for Western Berar) and two for the Central Provinces (one for the Jubbulpore and the Nerbudda Divisions and one for the Nagpur and Chhattisgarh Divisions). The remaining 36 seats I would distribute as follows amongst the various districts:—

Nagpur	...	5	Damoh	...	1
Wardha	...	2	Saugor	...	1
Bhandara	...	1	Hoshangabad	...	1
Balaghat	...	1	Narsinghpur	...	1
Chanda	...	1	Nimar	...	1
Raipur	...	2	Betul	...	1
Bilaspur	...	1	Chhindwara	...	1
Drug	...	1	Amraoti	...	4
Jubbulpore	...	3	Akola	...	3
Seoni	...	1	Yeotmal	...	2
Mandla	...	1	Buldana	...	1

Out of the nominated seats I would reserve four for non-officials to represent minorities such as mining or factory interests, European or Anglo-Indian communities, and University and one expert. The remaining six may be officials.

If no seats are reserved for Mohamedans, the aforesaid four seats may be allotted to such districts in the Central Provinces and Berar as have got the largest Mohamedan population to open a wider field to the Mohamedans for competition. With slight modifications here or there the aforesaid distribution ought to satisfy the present political as well as industrial activities of the different districts concerned.

28. *II (i).—Indian Legislative Assembly.*—The representatives from the Central Provinces and Berar on this assembly may be six. I fix this number on the supposition that one of these seats will be claimed by the Mohamedans. For the reasons which I already have given in another part of the note I think that a separate representation for the Mohamedans is not needed. In case one seat is reserved for the Mohamedans, it will have to be enjoyed alternately by the Mohamedans in the Central Provinces and Berar, that is, the Berar or the Central Provinces Mohamedans possessing prescribed property qualifications and not disqualified on any personal grounds will form Mohamedan electorates.

As regards the other five seats I think that each one of the four revenue divisions in the Central Provinces and Berar should constitute separate territorial electorates. I am not in favour of any method of indirect election or election through the non-official members of the provincial legislative assembly. We have had bitter experience of both these systems in these Provinces, and I shall be the last person to recommend their continuance. I am afraid even with modifications, which I am unable to conceive, the present system of indirect elections is not capable of improvement. For election to the Indian Legislative Assembly I do not think that a revenue division is too large an electoral area as to constitute a serious impediment to a candidate coming into touch with the voters.

29. As in the case of the provincial legislative assembly, so in the case of this assembly too, the franchise should include landholders and income-tax-payers. To these, may be added graduates, members of the provincial legislative assembly and non-official elected members of the local bodies including sanitation committees in case they do not fall under any one of the above category. In any case I would include the directors of the Co-operative Central Banks.

30. In determining the franchise for the Provincial Legislative Assembly I have not specially mentioned the graduates and members of the local bodies as the property qualifications suggested by me are so low that presumably all these classes would come under one or the other category. In the case of the Indian Legislative Assembly I propose to suggest a much higher property qualification. If the suggestion is accepted, it might possibly deprive a large number of educated men and public workers of the rights of votes which they

are accustomed or trained to exercise in an intelligent manner. In support of the inclusion of the directors of the Co-operative Banks I may assign an additional reason. For direct elections and broad franchises it is essential that the actual tillers of the soil should have some voice in controlling the elections. This argument may apply to labour and artisans also. Unfortunately, however, they are not yet organized into associations. Tenants are in some places organized into societies. Wherever such associations exist, they may be availed of for the purpose of broadening the franchise.

31. At the same time I think it advisable to limit for the present the field for the franchise to make it easily accessible to the candidate. It is therefore that I have suggested the directors of the Banks only. The franchise in the case of tenants is very limited and narrow. I think we ought to be content with it for the present.

32. In the absence of actual or approximate figures which I have not been able to obtain it is difficult to fix the minimum limits of property qualifications. In any case I think that they should not be less than double the limits prescribed for the local legislative assemblies.

33. Before leaving this subject I should like to answer one objection that is urged against territorial electorates. It is apprehended in some quarters that name or honour seeking persons who happen to have considerable influence in rural areas where number of voters is bound to be large would swamp really qualified persons whose services on the assembly would be most useful. Such a contingency would be minimised by prescribing different qualifications for voters and candidates. The candidates, to be able to follow the proceedings intelligently, must possess adequate knowledge of the language in which the proceedings of the assembly would ordinarily be conducted. Until the Provinces are reconstituted on a linguistic basis English must be the language of the councils.

34. *III.—The Council of State.*—The scheme laid down in paragraph 277 does not appear to be consistent with the principles enunciated by the Congress or any other political bodies in the country. The Council of State was not within the contemplation of the Congress. From the tenor of paragraph 277 it appears that the idea is to have at least 6 Mohamedans in this Council either by election or by nomination. For the present we are concerned with elections and their methods. If communal representation for the Mohamedans is a settled fact and a policy of wisdom which must be adhered to at any cost, it would be well to reserve a certain number of seats not exceeding 1/3rd the total number of the elected members of the Council. In case seats are reserved in this manner the Mohamedans should have no right to seek elections otherwise. The elections to these reserved seats should be either direct or indirect. About 3/5ths of these seats may be elected by means of indirect elections, that is, elections through the non-official Mohamedan members of the various provincial legislative councils and the Indian Legislative Assembly. The remaining 2/5ths seats may be by direct elections. Barring the differences between the Shias and the Sunnis the interests of the Mohamedans throughout the country are very nearly identical. Therefore I think that the direct elections need not every time be through separate electorates maintained in each province. These electorates may be formed in provinces where from the point of view of population, education, wealth, etc., the Mohamedan interest predominates, or the provinces may be grouped together and may be given this right by turns.

35. It is curious that as in the case of the Mohamedans so in the case of the landed classes the paragraph in question gives no indication as to the number of members of the landed classes the council should consist of. If the landed classes regard separate representation as necessary to safeguard their interests, two would certainly be an insufficient number of seats.

Besides, I have not been able to understand why a separate representation to the landed classes is considered absolutely necessary in an Imperial Assembly like the State Council. Most of the important legislative measures relating to land will hereafter be undertaken by the provincial councils.

36. Apart from this consideration there is still a serious objection to a certain number of seats being reserved for the landed classes. It is not easy to understand how a small number of so-called representatives will adequately represent and properly safeguard the interests of the landed classes throughout the country. We have to bear in mind the different land revenue systems or land tenures in vogue in different parts of the country. In some parts we have got the ryotwari system under which the actual tiller of the soil pays land revenue direct to government. In some parts we have got permanent settlements. In other parts we have got the zamindari or the malguzari system. A general tax payer considers the two latter systems as disadvantageous to him or prejudicial to his interest. The class in which I perceive the serious difficulty is the last one. If on the one hand it is necessary to devise measures calculated to protect the interests owned by the proprietors known as zamindars, jahagirdars or malguzars it is still more important to do so in the case of tenants on whose exertions, labour, etc., the agricultural prosperity of the country depends. Speaking from my experience of the Central Provinces, I say that the interests of the tenants will not always be safe in the hands of the malguzars, zamindars or jahagirdars. Nevertheless I apprehend that a separate representation to the tenants is bound to excite an amount of resentment and opposition on the part of the proprietary classes. In an important assembly like the State Council with a limited number of elected seats it is next to impossible to secure adequate representation of the different landed interests varying in nature from province to province. In view of these difficulties which appear to me to be insurmountable and likely to frustrate the main object in view, I am not in a position to suggest any suitable electorate to secure an adequate representation of the interests of all the landed classes throughout the country.

37. The abovementioned argument of mine is partly based on the assumption that with regard to the maximum strength and the component parts of the Council of State the suggestions contained in paragraph 277, though ostensibly recommendatory, are more or less of a mandatory character. On this assumption we shall have 19 elected seats, excluding the two proposed to be reserved for the Chambers of Commerce. It is exceedingly probable that not less than two out of these 19 seats will be secured by *bona fide* landholders. In this view special seats for the landed classes do not appear to be called for. The same may be said about the Mohamedans, but their case has to be dealt with on entirely different grounds.

38. There are no Chambers of Commerce in these Provinces. I would allocate the 21 elected seats as follows:—

5 for Mohamedans to be elected in the manner aforesaid.

2 „ Chambers of Commerce by those bodies wherever they exist.

I am unable to agree with the suggestions contained in paragraph 277 that the unallotted or unreserved seats, 14 or 15, should be distributed amongst the various provinces in certain proportions, and the legislative councils of the particular Province concerned should elect the prescribed number of members. It is strange that the illustrious authors of the scheme who have themselves condemned this indirect method of election even in the case of provincial councils should have recommended its adoption in the case of an Imperial Assembly of highest importance in the country. We have had bitter experience of this system in the past which led to barter or bargains almost amounting to frauds. I shall be sorry if the system is continued, especially in the case of the Council of the State. Members of this assembly must be returned by fair means and that can be achieved by widening the size of the electorate. It would perhaps not be possible in this case to have direct elections in the strict sense of the term. The electorate should, in my opinion, consist of non-official members of all the provincial councils and the Indian legislative assembly. The wider the electorate the less the possibilities of barter, bargains or frauds. I do not think, under this scheme, the candidates will be put to undue inconvenience or disadvantages. Men known all over the country will generally think of contesting seats on the State Council and they will not have to encounter insurmountable difficulties. It is in the fitness of things that elections to these councils should be by selected men from all over the country.

If this scheme is considered impracticable or beyond the pale of practical politics, I would suggest another one in the alternative. In each province there should be maintained an electoral roll consisting of persons representing different interests, but possessing property, educational and other qualifications much higher than those prescribed either for the provincial council or the Indian legislative assembly, and the seats assigned to each province should be elected by persons so enrolled.

39. I do not understand why the Burma Legislative Council should have a right to elect a member to the Council of State. Burma is proposed to be excluded from the operation of this Reform Scheme (*vide* paragraph 198 of the Report). It is in my opinion illogical that the council of a province which is considered to be unfit for the Reform Scheme should have a right to elect a member to the Council of State. Unless the Burma Council is reformed or reconstituted in accordance with the principles underlying the scheme under consideration, I think it would not be sound to vest the council of that province with the power to elect a member to this Council of State.

D

Memorandum by Rai Bahadur S. N. Chaudhari on the Reforms Scheme for the Central Provinces and Berar, to be placed before the Committee on Franchise.

I. Provincial Legislative Council for Central Provinces and Berar.

(a) The present strength of the Council is as follows :—

1. Elected members for Central Provinces	...	8
2. Election-nomination for Berar	...	3
3. Nominated members	...	5
4. Official members including the President	...	10
Total	...	26

II. I would propose that the total strength of the Council under the Reforms Scheme should be as follows :—

1. Elected including Berar	...	32
2. Nominated	...	8
3. Official members	...	10
Total	...	50

(1) I would allot the elected members as follows :—

Nagpur Division	...	7
Jubbulpore Division	...	6
Nerbudda Division	...	6
Chhattisgarh Division	...	5
Berar	...	6
Muhammadan Special Electorate members	...	2
Total	...	32

(2) I would allot the members for the Division to the respective districts as follows :—

		1. Nagpur 2. Wardha 3. Bhandara 4. Chanda 5. Balaghat	... ... ... ... ...	3 1 1 1 1
1. Nagpur Division (7)	...			
2. Jubbulpore Division (6)	...	1. Jubbulpore 2. Saugor 3. Damoh 4. Seoni 5. Mandla	... ... ... ... ...	2 1 1 1 1
3. Nerbudda Division (6)	...	1. Hoshangabad 2. Chhindwara 3. Khandwa 4. Betul 5. Narsinghpur	... ... ... ... ...	2 1 1 1 1
4. Chhattisgarh Division (5)	...	1. Raipur 2. Bilaspur 3. Drug	... ... ...	3 1 1
5. Berar (6)	...	1. Amraoti 2. Akola 3. Buldana 4. Yeotmal	.. ... ... ...	2 2 1 1

(3) I have allotted eight members to the list of nomination and I am sure that it will meet all needs of representation of minorities; classes, interests and communities. As a matter of fact there are no important minorities to be specially represented. The Muhammadans form such a small community in these Provinces that I do not think it will be necessary to give them more than two members to

be returned by their special electorate. I would not give any special representation to landlords because their interest will be well represented and championed by many of the elected and nominated members. Nagpur University has not yet come into being, but when it does, one of the seats for the Nagpur District may very well be allotted to it.

(4) I do not think there is any necessity for more official members than ten. At present they fully represent all the departments of Government and they will continue to do so in future. Moreover, two members of the Executive Council will be *ex-officio* members of the Legislative Council also.

III. As regards franchises and constituencies, I would make the following observations :—

(1) The chief merit of the Reforms Scheme is that it seeks to do away with indirect representation and to make the franchise as broad as possible. But at the end of paragraph 226, the authors of the report have conveyed a warning "against any such inordinate and sudden extension of the franchise as might lead to a breakdown of the machinery through sheer weight of numbers."

• These Provinces are still much backward in point of education and the public spirit. But as the authors of the report say in the same paragraph, "the limitations of franchise should be determined rather with reference to practical difficulties than to any *a priori* considerations as to the degree of education or amount of income," it will be necessary, in my opinion, to include illiterate persons also who may not be disqualified by character or conduct or physical defect of a serious nature.

I would, therefore, propose the following minimum qualifications for the new franchise:—

1. For the rural area, rent or revenue of Rs. 50 per year.
2. For the urban area, a tax in some shape of Rs. 2 per annum.

In the Raipur District, of which I have some knowledge, my proposed qualification under head (1) above, would give about 3,500 voters, out of whom only about 55 will be Muhammadans. I am not acquainted with the conditions of other districts, but I believe nowhere the number will exceed 6 or 8 thousand.

As regards the urban area the tax-paying qualification of Rs. 2 will result in the enlistment of about 2,500 voters in place of about 1,100 in the Raipur Town, and proportionately to population the number will increase in the same ratio in other urban areas in this district.

(2) As regards the means for direct election I would propose that lists of voters possessing the above qualifications should be prepared separately for each tahsil and municipal area, and polls should be held in each tahsil headquarters and municipal town before a responsible high official of the Government. The polls should be held all on the same date and no proxy votes should be allowed. Appropriate regulations should be made stopping malpractices by or on behalf of candidates, and personal canvassing, so far as possible, should be done away with.

RAIPUR :
The 15th November 1918. }

D. N. CHAUDHARI,
President, Municipal Committee.

Memorandum, dated the 23rd November 1918, by Mr. Raghbir Prasad Gumashta of Deonagar, Narsinghpur District, on the Reforms Scheme, to be placed before the Committee on Franchise.

I.—Provincial Legislative Councils.

To make the franchise as broad as possible I would propose to limit the qualifications of a voter as given below, but as for constituencies I wish I could propose a tahsil to be a single constituency, but this will very much increase the numerical strength of the Council, and therefore I propose that big districts be divided into tahsils or parganas to form separate constituencies, while small districts should each form a single constituency. In forming these constituencies, regard will be had to population, education and revenue of the district.

Qualifications of a voter—

Every person who—

(i) holds land and pays at least Rs. 25 as rent or Rs. 15 as land revenue;

(ii) has property worth at least Rs. 150:

Provided that he has resided in the village for which he is to be recorded as a voter for a period of at least 12 months immediately preceding the date of election;

(iii) is not a female, minor, or lunatic;

(iv) has not been convicted of a heinous offence.

Qualifications of a representative—

(i) should be literate;

(ii) should hold land and pay Rs. 1,000 as rent or Rs. 600 as land revenue;
or

(iii) should have property worth Rs. 2,000;

(iv) should reside in the unit which he represents for a period of at least three years immediately preceding the date of election;

(v) should not be a female, minor or lunatic;

(vi) should not be convicted of a heinous offence.

2. For Municipal areas every municipal town should be the polling centre and for rural areas every Revenue Inspector's circle. The polling officer in the case of Government servants should not be below the grade of an Extra-Assistant Commissioner and in other cases such gentlemen of position as the Deputy Commissioner of the district may appoint. As the majority of voters will be illiterate, I would recommend that they be provided with tickets representing each candidate by a distinct colour and they be recorded by ballot.

3. The Central Provinces is almost entirely an agricultural country, and as such is not divided into communities so far as their interests in the rural areas are concerned. In rural areas every person without any distinction of caste and creed should have a right to vote and select his best candidate to represent him. To create any communal representation in such a province will be to create friction, and therefore any communal representation in rural areas is not desirable. The case may be different in urban areas for which a few seats may be reserved and may be filled up by direct election by the communities entitled for communal representation.

4. Nominated official members should be 10 per cent of the total strength of the Council.

- 2
3. The total strength of the Provincial Council should be 80 as follows:—
- | | | | |
|---|---|---|---------------------------------------|
| 48 | rural population. | } | 5 for 5 Divisions. |
| 8 | Municipalities ... | | 3 for Jubbulpore, Nagpur and Amraoti. |
| 4 | For Commerce and Industries. | | |
| 4 | Minorities. | | |
| 16 | Nominated, half officials and half non-officials. | | |
| <hr style="width: 100px; margin-left: 0;"/> | | | |
| Total ... | 80 | | |

II.—Legislative Assembly.

6. When the Provincial Council is fully representative of the province, indirect election of the representatives for the Legislative Assembly by the non-official members of the Provincial Council would be more suitable. The strength of the Legislative Assembly should not be less than 150 members, of which the Central Provinces should contribute at least 10.

III.—Council of state.

7. As far as this body is concerned, I am not prepared to recommend its formation. But if it is absolutely necessary to form one, as a matter of policy, I would propose that at least half the number of the members in this body should be elected.

Memorandum by Mr. J. B. Deshmukh of Shirala, Amraoti District, on the Reforms Scheme, to be placed before the Committee on Franchise.

The Berar Provincial Congress Committee and the people of Berar had asked for a separate legislative council for their Province in the address they had presented to His Excellency the Viceroy and the Right Hon'ble the Secretary of State. What we Berar people want is a separate legislative council and separate finance. The distinguished authors of the Reforms proposals remark at the end of paragraph 246 of the Reforms Report: "In Orissa and Berar at all events it seems to us that the possibility of instituting sub-provinces need not be excluded from consideration at a very early date." If the request of Berar to make it a separate province be at once granted, I propose the following constitution.

2. Constitution of the Berar Council if a separate council for it is established.

Besides the head of the Province total number of members to be 50 as follows:—

(1) Nominated officials and non-officials	10
(2) Elected by Municipal voters of Municipalities of the districts of Amraoti and Yeotmal	3
(3) Elected by Municipal voters of the Municipalities of the districts of Akola and Buldana	3
(4) Elected by Muhammadans alone being of age 21 years and above and having an annual income of Rs. 100 and upwards. Muhammadans of the Amraoti and Akola districts to elect two members each and Muhammadans of Yeotmal and Buldana to elect one member each	6
(5) Elected by registered Watandars and Jagirdars of the whole of Berar.	2
(6) Elected by graduates of any University recognised in India and Great Britain residing in Berar	2
(7) Elected by persons paying land revenue to Government of Rs. 500 and above and by income-tax payers residing in places outside Municipal areas. Three members to be elected by voters residing in the Amraoti district and three in the Akola district and two members to be elected by persons residing in the Yeotmal district and two in the Buldana district	10
(8) Elected by persons residing in places outside Municipal areas paying land revenue to Government of Rs. 15 and upwards upto Rs. 500, or having an annual total income of Rs. 300 and upwards upto Rs. 1,000. Three members to be elected by the Amraoti and Akola districts each and two members to be elected by the districts of Yeotmal and Buldana each	10
(9) Elected by persons residing in places outside Municipal areas whose annual income is Rs. 100 and upward upto Rs. 300 (one member to be elected by voters of each district)	4
Total	50

3. If a separate council and a separate finance are not to be granted to Berar, I propose the following constitution.

Constitution of the Central Provinces Legislative Council if Berar is to be a part of the Central Provinces. Total number of members to be 100 as follows:—

(1) Nominated officials	10
(2) Nominated non-officials	5
(3) Elected members for the Central Provinces	55
(4) Elected members for Berar	30
Total	100

5. The total strength of the Provincial Council should be 80 as follows:—

48	rural population.	} 5 for 5 Divisions. 3 for Jubbulpore, Nagpur and Amraoti.
8	Municipalities ...	
4	For Commerce and Industries.	
4	Minorities.	
16	Nominated, half officials and half non-officials.	
<hr/>		
Total ...	80	

II.—Legislative Assembly.

6. When the Provincial Council is fully representative of the province, indirect election of the representatives for the Legislative Assembly by the non-official members of the Provincial Council would be more suitable. The strength of the Legislative Assembly should not be less than 150 members, of which the Central Provinces should contribute at least 10.

III.—Council of state.

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2. Constitution of the Berar Council if a separate council for it is established.

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(1) Nominated officials and non-officials	...	10
(2) Elected by Municipal voters of Municipalities of the districts of Amraoti and Yeotmal	...	3
(3) Elected by Municipal voters of the Municipalities of the districts of Akola and Buldana	...	3
(4) Elected by Muhammadans alone being of age 21 years and above and having an annual income of Rs. 100 and upwards. Muhammadans of the Amraoti and Akola districts to elect two members each and Muhammadans of Yeotmal and Buldana to elect one member each	...	6
(5) Elected by registered Watandars and Jagirdars of the whole of Berar.	...	2
(6) Elected by graduates of any University recognised in India and Great Britain residing in Berar	...	2
(7) Elected by persons paying land revenue to Government of Rs. 500 and above and by income-tax payers residing in places outside Municipal areas. Three members to be elected by voters residing in the Amraoti district and three in the Akola district and two members to be elected by persons residing in the Yeotmal district and two in the Buldana district	...	10
(8) Elected by persons residing in places outside Municipal areas paying land revenue to Government of Rs. 15 and upwards upto Rs. 500, or having an annual total income of Rs. 300 and upwards upto Rs. 1,000. Three members to be elected by the Amraoti and Akola districts each and two members to be elected by the districts of Yeotmal and Buldana each	...	10
(9) Elected by persons residing in places outside Municipal areas whose annual income is Rs. 100 and upward upto Rs. 300 (one member to be elected by voters of each district)	...	4
	Total	50

3. If a separate council and a separate finance are not to be granted to Berar, I propose the following constitution.

Constitution of the Central Provinces Legislative Council if Berar is to be a part of the Central Provinces. Total number of members to be 100 as follows:—

(1) Nominated officials	...	10
(2) Nominated non-officials	...	5
(3) Elected members for the Central Provinces	...	55
(4) Elected members for Berar	...	30
	Total	100

4. The number of members for Berar proposed by me may appear disproportionate, but taking into consideration the facts that (i) the revenue of the whole of the Central Provinces was Rs. 2,61,98,213 only for the year 1916-17, while that of Berar was Rs. 1,75,88,072; (ii) the proportion of the revenue from income-tax between the Central Provinces and Berar was 5 to 4 according to the report of 1917; (iii) the average land revenue of one district in Berar is more than the average land revenue of three districts in the Central Provinces; and (iv) the average number of literates for one district in Berar exceeds largely that of the Central Provinces districts according to the census of 1911, my proposal will appear just and equitable. This claim of Berar is almost already admitted as Berar at present elects three out of ten elected members for the present council of the Central Provinces

5. The thirty members proposed for Berar to be elected as under :—

(1) Elected by Municipal voters of the Municipalities of the districts of Amraoti and Yeotmal	2
(2) Elected by Municipal voters of the districts of Akola and Buldana	2
(3) Elected by Muhammadans over twenty-one years of age and having an annual income of Rs. 100 and upwards, one by the Muhammadans of each district. Four for four districts ...	4
(4) Elected by registered Watandars and Jagirdars of the whole Berar	1
(5) Elected by graduates of any University recognised in India and Great Britain residing in Berar	1
(6) Elected by persons residing outside Municipal areas and paying land revenue to Government of Rs. 500 and upwards or paying income-tax to Government. Two members to be elected by voters in each district	8
(7) Elected by persons residing outside Municipal areas and paying annually land revenue to Government from Rs. 15 to Rs. 500 or having an annual income of Rs. 300 and upwards upto Rs. 1,000. Two members to be elected by each district ...	8
(8) Elected by persons residing outside Municipal areas having an annual income from Rs. 100 upto Rs. 300. One member to be elected by each district	4
Total	<u>30</u>

6. The above will show that I am not in favour of communal representation. Such a representation in my opinion is neither practicable nor conducive to the better interests of the country. Muhammadans are given communal representation because Government is pledged to that again and again and people cannot see their way to avoid it except by creating commotion amongst the community which is at no time desirable much less at the present time. I hope that the Muhammadans themselves in the near future will ask for its cancellation. I have suggested the distribution on territorial basis and financial status. The competition in Berar is not between community and community but it is gradually growing to be between rich and poor, capital and labour. I have therefore suggested separate representation to voters of all grades—rich, middle and poor. The right of a voter is extended to persons drawing an annual income of Rs. 100. So no separate representation is necessary for the depressed classes. All persons over 21 are voters except those that have an annual income below Rs. 100, that is those that cannot earn even a bare maintenance.

Muhammadans are given separate reserved seats more than their population requires. I propose that they are not to vote or stand as candidates for other elections.

Separate members are given to education and Watandars.

As for education no explanation is necessary, but favour to Watandars requires some explanation.

Watandars are a distinct influential class in Berar. Their forefathers were pergunah officers and village headmen and their offices are hereditary, since centuries past. Their eminence is still acknowledged there through all phases of political changes in Berar. Some of them, such as Deshmukhs and Deshpandias, are given fixed amounts without service and some, such as Patels and Patwaris, do get fixed amounts with service. Their interest is a distinct interest and requires in my opinion separate representation to safeguard it.

7. Disqualifications for a voter. The following persons shall not be entitled to vote :—

- (1) Persons not competent to contract, minors, and persons of unsound mind.
- (2) Persons below the age of 21.
- (3) Declared habitual criminals.
- (4) ~~Females, except for election for urban area.~~

Females have in India already got equal rights in popular assemblies such as National Congress and Provincial Conference, and they can vote according to present law at Municipal elections in Berar. I am in favour of female franchise, but I am of opinion that the time has not come to extend the right to rural areas as most of the respectable ladies there still do not like to appear in public.

8. Qualifications of candidates—

- (i) He must be above 25 years of age.
- (ii) He must be qualified to vote.
- (iii) He must be a resident in Berar.
- (iv) He must not be an undischarged insolvent.
- (v) He must be able to read and write the language in which the business of the council is ordinarily transacted.

9. *Indian Legislative Assembly.*—I have only to suggest that whether a separate council be given to the province of Berar or not, provision be made to have an adequate elected representation from Berar.

10. *Council of State.*—The Council of State is to be practically the final legislative authority, and it is essential that Berar should have distinct representation to that Council.

J. B. DESHMUKH.

**Memorandum by the Hon'ble Rao Bahadur M. G. Deshpande on
the Reforms Scheme to be placed before the Committee on
Franchise.**

The authors of the Report on the Indian Constitutional Reforms, in pursuance of which the Franchise Committee is holding its sittings, have been good enough to lay down that the scope of the franchise should be as broad and the council as representative as the circumstances in each province permit. Before fixing the limits of the franchise and the strength of the Provincial Council, it is advisable to study the circumstances that obtain in these Provinces. Nobody can gainsay that they are special and require careful and cautious handling. Of all the provinces that have got Legislative Councils, the Central Provinces is the youngest and is still in its infant stage, having completed barely five years of its legislative existence. No doubt the members that are returned elected are the best of the lot and have shown considerable aptitude for gaining experience and for co-operating with the Government in the work of administration. But the number of such members is necessarily limited, and therefore the point whether intelligent and broad-minded candidates would be forthcoming for seeking election must be given due consideration.

**Preliminary
Observations.**

2. Then again, the Central Provinces are admittedly backward in education in general, and in political education in particular. The spirit of subordinating one's individual views and interest to those of the general public to achieve some public good—this public-spiritedness, that forms one of the prominent characteristics in the more advanced provinces—has not sufficiently developed here. The limits of franchise will, therefore, depend upon the extent of political education that the people in these Provinces have. Voters must be intelligent; they must appreciate the value of their votes. They must consider their votes as trusts in their hands and instruments for ultimately moulding the administrative machinery of the government under which they live and upon the good form of which their well-being so largely depends. The proportion of such voters is extremely limited, and in devising electoral schemes this is the second point that claims special attention. Otherwise, sudden and inordinate expansion will only lead to a breakdown of the machinery which must be studiously avoided.

3. With these preliminary observations, it is proposed to constitute the Provincial Council as follows:—

**Strength of the
Provincial Council.**

The total normal strength should be sixty, of whom forty-six should be elected and fourteen nominated, of whom not more than seven should be officials. The remaining seven non-official members are intended to enable the Local Government to nominate representatives of those classes and communities that are too small, too backward or too widely scattered to form a workable electorate. The forty-six seats of elected members should be distributed as follows:—

	Members.
(1) Malguzars and proprietors ...	10
(2) Tenants from the Central Provinces paying hundred rupees and above.	4
(3) Tenants and Izardars from Berar ...	3
(4) Income-tax payers—four from the Central Provinces and two from Berar.	6
(5) Municipalities of the Central Provinces and Berar ...	7
(6) District Councils from the Central Provinces and Berar ...	6
(7) Graduates from the Central Provinces and Berar ...	2
(8) Co-operative Credit Societies ...	1
(9) Factories and Industries ...	1
(10) Muhammadans ...	6
Total ...	46
Non-official nominated ...	7
Official nominated ...	7
Total ...	60

Scope
details
Franchise.

and
of

4. The landholders of the Central Provinces, it will be seen, have been allotted the largest number of seats (10), as they form the very backbone of the whole Province. Agriculture is the main industry of India and of the Central Provinces in a truer sense, and no class of people have contributed more to the development of it and the consequent raising of the Province than they; and to allot ten members out of the total strength of sixty is doing nothing more than bare justice to the class. For electing these ten members the Province should be divided into ten circles generally corresponding to civil divisions as given below, and each circle should return one member—(1) Nagpur, (2) Wardha and Chanda, (3) Bhandara and Balaghat, (4) Jubbulpore, (5) Saugor and Damoh, (6) Seoni and Mandla, (7) Hoshangabad and Narsinghpur (8) Nimar, Betul and Chhindwara, (9) Raipur, (10) Bilaspur and Drug.

5. Those who are assessed to land revenue of three hundred rupees or above, whether they pay direct or through superior proprietors, should be registered as voters if they satisfy all other necessary conditions as to age, sex, etc. This will give roughly one thousand voters for each circle of electorate. But to be eligible for standing as candidate care should be taken that he is a *bond fide* malguzar and pays a larger sum of revenue, say, five thousand rupees, than a mere voter. It must be here stated that criticism is passed in many quarters that the landholders' representatives in the present Council, being not *bond fide* and born landholders, are not able to protect the interests of the class which they profess to represent. There is much force in this criticism. Fears are therefore expressed that in the enlarged Council, unless some special care be taken to see that the *bond fide* landholders stand for candidatureship, they would be generally swept away in the elections.

6. The next class that requires representation is that of tenants. Seven seats are allotted to them—four to the tenants of the Central Provinces and three to the tenants and izardars of Berar. Those who pay a hundred rupees or above should be registered as voters, and each division of the Central Provinces proper will return one member and Berar will return three.

7. Income-tax payers come next. Out of the six members that are to be returned by them four will be returned by the four divisions of the Central Provinces and the remaining two by the East and West Berar.

8. Seven members are to be returned by the Municipalities, of whom six will be elected by the Municipal members of six divisions (making two divisions of Berar) at the rate of one each and the seventh member will represent the Nagpur and the Jubbulpore Municipalities in alternate sessions according to the present arrangement.

9. *District Councils*.—The same method as is suggested above should be followed in the case of District Councils, except that there will be no seventh member for them.

10. *Graduates*.—Two members are to be returned by the graduates and, as their number is small and as men of provincial reputation are sure to stand on their behalf, the whole Province should form one electorate, and the elections may be held at tahsil towns or at district towns.

11. Co-operative credit societies are to be represented by one member who should be elected by the directors of the Provincial and the District banks in the Central Provinces and Berar.

12. One member is to be elected to represent factories and industrial concerns, and managers of factories and industries will be voters for that purpose.

13. In the above elections, it will be seen that all members are to be elected by primary voters, except in the case of Municipalities and District Councils in whose cases indirect elections are recommended.

14. *Special Electorates and Muhammadans.*—Among the communities about whom the question of special electorates arises, the Muhammadans rank first. The authors of the Report have conceded, though with great reluctance, that the Muhammadans should continue to enjoy the privilege of communal representation. Their political status and their special position do admittedly demand special consideration, and in some provinces to deny them the privilege would result in a piece of great injustice. The case of this Province is, however, different. First, they are in great minority and the relations between the two communities are cordial; and the rancorous feelings and communal patriotism that are so much in vogue in other provinces are here conspicuous by their absence. It is perhaps therefore that when the present Council of the Central Provinces was constituted no special electorates were formed for them. In the above scheme six seats are allotted to them—one for each division of the Central Provinces and two for Berar, but it is a question how far these electorates will be workable from a practical point of view. If the Committee from the materials before them come to the conclusion that no workable constituencies can be formed for them, it is suggested that these six seats of election should be converted into nomination, in which case the total strength of the nominated members will be twenty, *i. e.*, one-third of the whole Council. If the above suggestion be adopted the Muhammadans should be allowed to take part in general elections, and if, from the results of the general elections, it is seen that the Muhammadan members are less than six, the deficit should be made good by nomination. The remaining seats should be filled up by the Government to secure complete representation on the Council of various interests, classes and other communities such as Christians, Parsis and Feudatory States. Thus the power of nomination in the hands of the Local Government will be a sort of reserve to be drawn upon wherever exigency arises.

15. According to the scheme chalked out by the authors of the Report these Provinces are to elect five members for the Assembly:— Indian Legislative Assembly.

- 2 members to be elected by the malguzars and proprietors paying three thousand rupees and above and tenants paying five hundred rupees and above.
 - 1 member to be elected by the members of the Municipalities of the Central Provinces and Berar.
 - 1 member to be elected by the members of the District Councils of the Central Provinces and Berar.
 - 1 member to be elected by the non-official members of the Provincial Legislative Council.
- 5 members.

16. Six members are to be elected by all the provinces to supplement the representation of landholders, Muhammadans and Chambers of Commerce. Council of State. These will be all-India elections, and the members of the Provincial Councils representing those interests will be the best voters for that purpose. This will be an indirect election, but there seems to be no other alternative.

17. In fine, it may be admitted that statistics and information on many important points not being available the above scheme may be imperfect and open to some objection. It can be said in its defence that no scheme will reach the pink of perfection, and to evolve a scheme to satisfy all interests and views is a difficult task. Time and experience alone will show in which respects modifications and alterations are needed.

Memorandum of the proposals which the Central Provinces and Berar Mining Association desires to submit for the consideration of the Committee on Franchise.

1. The Association feels that adequate representation of its interests can only be obtained by giving the Mining Association a direct right of electing its own representatives to the Provincial Legislative Council.

2. In view of the important mining interests that it represents and the part mining is bound to take in the future mineral and industrial development of these Provinces, the Association feels itself justified in soliciting that provision may be made for its representation on the Provincial Legislative Council.

3. The Association requests that it may be granted the right to elect members to the Council in preference to a system of nomination by Government.

4. The Association suggests that it may be granted a direct franchise to elect representatives, each member of the Association to exercise a vote.

5. The Association requests that it may be granted the right to elect two members to the Council, one to represent the interests of metalliferous mining and the other to represent those of coal mining. The Association feels justified in asking for separate representation for the two above mentioned branches of the mining industry in view of the fact that each is in itself sufficiently important and distinct to justify such representation, and that each requires a specialised knowledge of its requirements and conditions to adequately represent its interests, and to be of assistance to Government in dealing with questions concerning it.

6. The Association submits in support of its requests for direct representation on the Council that the Central Provinces trade represents practically the whole of the manganese trade of India, the production of these Provinces being about 90 per cent of the total output of the country, while the recent rapid expansion of the coal trade of these Provinces and the prospects of still greater expansion in the future, by reason of its important geographical position in relation to the markets of Central and Western India and of Mesopotamia, call for special consideration.

H. D. COGGAN,

Chairman,

The Central Provinces and Berar Mining Association.

Franchise Committee.

Central Provinces and Berar Council to consist of
100 members as follows.

Nominated members	20	...	Nominated Officials	...	10
			Nominated non-Officials	...	10
Special Electorates	5	...	Graduates of C. P.	...	1
			" of Berar	...	1
			Textile Industry	...	1
			Mining Industry	...	1
			Factories	...	1
General Electorates	64	...	Nagpur District	...	7
			(One of these will be returned by the ratepayers of Nagpur City.)		
			Wardha do.	...	3
			Chanda do.	...	1
			Bhandara do.	...	2
			Balaghat do.	...	1
			Jubbulpore district	...	4
			(One of these will be returned by the ratepayers of Jubbulpore City)		
			Saugor do.	...	4
			Damoh do.	...	2
			Seoni do.	...	1
			Mandla do.	...	1
			Hoshangbad do.	...	4
			Betul do.	...	1
			Chhindwara do.	...	1
			Narsinghpur do.	...	2
			Nimar do.	...	4
			Raipur do.	...	2
			Bilaspur do.	...	2
			Drug do.	...	2
			Amraoti do.	...	7
			(One of these will be returned by the ratepayers of Amraoti town.)		
			Akola	...	7
			(One of these will be returned by the ratepayers of Akola town)		
			Yatmahal do.	...	2
			Buldana do.	...	4
Communal Electorates	11	...	Mahomedans (C. P.)	...	7
			Mahomedans (Berar)	...	4

Total... 100

Franchise.

For Special electorates.

(a) Ownership or Management of Mines.

(b) do. do. of Textile Industry.

(c) Factories employing not fewer than 50 hands.

(d) Graduates of any of the recognised Universities in British India and United Kingdom.

For General electorates:—

- (a) Malguzars and Proprietors paying an annual revenue of Rs. 100 and over.
- (b) Tenants paying an annual rent of Rs. 50 and over.
- (c) Persons paying an income-tax of Rs. 20 and over.
- (d) Any person residing within municipal limits and occupying a house of the annual letting value of Rs. 50 *and over*

Disqualifications:—

- (a) Age below 21 years (excepting graduates)
- (b) Unsoundness of mind.
- (c) Alienage.
- (d) Government service.
- (e) Conviction implying serious moral turpitude.
- (f) Bankruptcy.

Qualifications of candidate:—

- (i) He must have completed his 24th year.
- (ii) He must be eligible to vote.
- (iii) He must be able to read and write the language in which proceedings of the Council are generally conducted.

Women will not be disqualified for voting but only for membership.

Mode of election.

In constituencies returning more than one member the election of members should be on the system of single transferable vote.

II. INDIAN LEGISLATIVE ASSEMBLY.

The Indian Legislative Assembly should consist of 150 members as follows.—

Nominated Officials	...	33	
do. Non Officials	...	17	
Elected members for the Presidency of Bombay	16	{ Mahomedan.	5
		{ others	11
do. do. Bengal	...16	{ Mahomedan.	7
		{ others.	9
do. do. Madras	... 16	{ Mahomedan.	4
		{ others	12
do. do. United provinces	... 15	{ Mahomedan.	4
		{ others	11
do. do. Bihar and Orrisa	... 11	{ Mahomedan.	3
		{ others	8
do. do. C. P. and Berar	... 9	{ Mahomedan	1
		{ others	8
do. do. Punjab	... 12	{ Mahomedan	6
		{ others	6
do. do. Assam	... 2		
		Burma	... 2
			65/30
		Dehli	... 1
			95
			150

9 Members from C. P. & Berar should be elected as follows:—

For C. P. { 1 Mahomedan member for the whole of C. P. and Berar.
& Berar. { 1 member for Commerce and Industry for whole of C.P. & Berar

For C. P. $\left\{ \begin{array}{l} 1 \text{ Landlord.} \\ 4: \text{ One member from each of the four Divisions of C. P. by} \\ 5 \text{ the Electorates consisting of:} \end{array} \right.$

- (a) Residents within Municipal areas occupying houses of the annual letting value of Rs. 72. *and over*
- (b) Income-tax payers paying Rs. 20 and above.
- (c) Tenants paying 100 and over yearly.

2. Members from Berar. as do.

III. COUNCIL OF STATE.

In order to ensure that the Mahomedan and landed members should as far as possible be representatives of the whole of India, they should be elected on following plan:—

Large Landlords, and Mahomedans of stated qualifications be formed into electorates in several Provinces, and they should elect members varying in number not exceeding 3, according to the peculiarities of the various Provinces, to a panel out of which the Non-official members of the Indian Legislative Assembly will elect the two Mahomedan and Landed members for the Council of State. The afore-said Provincial Landed and Mahomedan electorates will not restrict their choice to their own Province e. g. the C. P. electorate may elect a candidate from another Province as its representative on the aforesaid panel.

M. B. NIYOGI.

ON BEHALF OF C. P. PROVINCIAL

Congress Committee, Nagpur.

A SCHEME
for
FRANCHISES AND CONSTITUENCIES
for
THE CENTRAL PROVINCES AND BERAR



C. B. Parakh,
Dagpur.

A SCHEME FOR FRANCHISES AND CONSTITUENCIES FOR THE CENTRAL PROVINCES AND BERAR.

1. IN preparing a scheme for franchises in the Central Provinces and Berar the first principle I have observed is to extend the franchise only to those (except the labourers) who contribute a determined share to the revenues of the State or the Municipality. It is however not possible to fix a similar standard of revenue within all territorial limits, and the principle will have to be relaxed in backward Districts where an urban vote may be extended to a man who pays an insignificant revenue.

Basis for franchise.

2. IN the scheme for Constituencies the principle observed is to confine the franchise strictly within defined territorial limits. The object of the aim is manifest. In view of the fact that in my scheme franchise has been extended even to illiterate persons, the surest method of making it popular is to localise it as far as possible, and for this reason the 'District' is the best unit. It therefore does happen that the backward Districts like Mandla and Betul get on an average a larger representation than other Districts. I am however of opinion that no such mathematical calculation should be allowed to outweigh what is a logical necessity to induce the ignorant and simple village, and in some cases town, people to take an active interest in the development of their own District, to which, and which alone, they remain attached.

Territorial constituencies.

3. THE only other alternative is to group different interests under several heads, prepare electorates representing each interest, allocate the elective seats to each electorate in accordance with its strength and importance, and then proceed to combine the Districts in such a manner as to distribute the seats, allocated to each electorate, over the whole Province. This method is bound to lead to unsuitable and out of the way combinations, but the greatest defect in this system is to presuppose the existence of a sharp cleavage between landlords and tenants, or even between the rural and the urban population. To this I emphatically demur. The object of the Reforms is to secure a popular representation in the Council, and this is just what is likely to be frustrated by this method.

Disadvantages of the alternative method.

4. HAVING determined the standard which should qualify a man to be a voter, I do not propose to make illiteracy a bar. It will however not be open to a voter to be a candidate for the Council unless he is literate—which again does not necessarily imply knowledge of the English language. For I do not think that in our Provinces and Berar it is possible to elect a popular Council in any sense of the term without admitting a large number of representatives whose only medium of communication is the Vernacular.

Illiteracy not a bar.

5. The question of the number of members in the Legislative Council will always be a thorny one, though I am of opinion that in order to make the Council fully representative the tendency should be to err on the side of larger number. I have therefore proceeded on the basis of a minimum of one vote for the smallest District, and proportionate number of votes for bigger Districts, confining the number of elected members to 70, so that with 10 seats for the Mohammadans, which gives them more than an adequate representation, and 20 elected members, the ratio of elected to nominated members being four to one, there would be 100 members in the Legislative Council, which to my mind is a very fair number.

100 members in the Council.

Nominal

BASES FOR FRANCHISES.

6. IN enfranchising the landlords and tenants I have adopted a fixed standard of revenue or rent in all the Districts. Every landlord who pays a revenue of Rs. 100 and over, and every tenant who pays a rent of Rs. 75 or more, is given a vote.

Landlords and Tenants.

7. IN giving a vote to all the income-tax-assessees I may appear to be more liberal. This is however not so and for a very obvious reason. The conditions of town life fit them better for exercising the franchise than the simple village cultivators or even

Income-tax-assessees and

landlords, who are in a comparatively ignorant and backward state. I feel sure that a wide exercise of discretion in eliminating a certain number of landlords and cultivators would be necessary to avoid that 'breakdown of the machinery' which the framers of the Report have apprehended, should the franchise be extended indiscriminately to backward classes.

Rate-payers 8. THE standard of rate payers, unlike that of other electors, varies in different districts. For example in Nagpur and Jubbulpore a man is not eligible for a vote in the Municipality unless he is assessed annually to a sum of Rs. 6 in taxes other than Octroi, whereas in other Districts a man who is assessed to an annual sum of Rs. 2 in similar taxes, and in some others a man whose gross annual income is Rs. 120 and upwards, is entitled to a vote. This apparent anomaly ought to be removed. Although there is authority in the Report for differentiating "the qualifications for a vote..... between different parts of the same Province" the great inconsistencies ought to be removed by a careful reconsideration of the status and conditions of all the Municipal Towns and Tahsils of the whole Province.

Commerce & Industry. 9. THE owner of a *Factory, Gin, or Press*, to which the Boiler Act or the Factory Act applies, and his manager or managers should be entitled to a vote each. If a man has six factories and they are managed by six *bona-fide* managers, he and his six managers should all be entitled to a vote. As regards *mining industry* I would propose that every mine-owner, who employs 50 or more labourers, and his manager or managers, as defined above, should be given a vote each. In respect of *other industries*—which are most of them, minor industries—I propose to give a vote to every owner who employs more than 15 men to carry on his business.

Labour. 10. AS regards the labourers I propose that every man who has worked in a *Factory, Gin, Press, Mine, or any other minor Industry*, that is entitled to a vote, and received a fixed salary or more than Rs. 15 per mensem, for six months prior to the preparation of the electoral roll, should be entitled to a vote. I have no statistics at hand, but I believe that the standard of Rs. 15 would keep out such men as are entirely unfit to exercise the right of franchise. The standard therefore is liable to alteration if the statistics show a different result.

CONSTITUENCIES.

Six heads of interests. 11. I now proceed to explain how the constituencies are formed. I have divided the electors under six heads of interests as follows:—

- (i) Landlords,
- (ii) Tenants,
- (iii) Income-tax-assesseees,
- (iv) Rate-payers,
- (v) Commerce and Industry, and
- (vi) Labour.

As far as it was possible I have given a separate seat to each of these interests. But it is obvious that this standard could not be uniformly adopted. I must note that the income-tax-assessee and the tax-payer do not represent separate interests. The difference between them is one of degree, and in all the Districts, except Nagpur, Amraoti, and Akola, I have added the rate-payers to the income-tax-assesseees simply with a view to extend the urban vote to almost every man who has some status, and is capable of exercising the franchise with some intelligence.

12. As a major portion of commerce and industry, and consequently of skilled labour, of the Central Provinces and Berar, is confined to Nagpur I have suggested that they should be given separate seats in Nagpur, in addition to their Provincial seats (Vide Appendix C paras 2 and 3).

Special Electorates 12. A word about the special electorates (Vide Appendix C paras 4-8) is necessary. Some men contribute heavily to the State, and their share of burden is out of all proportion to the right they would get should they be put in the same category as other voters under the same heads. It would also indirectly be an encouragement to greater application and industry, and more faithful returns.

14. I have reserved 4 seats to be filled by election by the 96 members of the Council. Out of these only one seat is open to any permanent resident of the Central Provinces and Berar, whereas the three others are confined to the minorities stated in Appendix C, para 10. Even in England it frequently happens that a great man is kept out of the House of Commons by the vagaries of election. This danger will be the greater still in India, and it is in order to admit such a man in the Council that I have kept one seat open to all. The election for the remaining three seats for the minorities would tend to maintain healthy relation between them and the majorities. There would then be the tendency to co-operate with one another, and not to disintegrate which is bound to result if each community is allowed to eke out its progress and development in its own way, without being at all dependent upon, and in some cases in conflict with, and at the cost of others.

Four special seats.

15. EVERY elector will have a right to an alternate and, whenever possible, plural vote. For example if there are five candidates, it should be open to an elector to vote for his best man, and in the event of his failure, the next best man, and so on. If he is entitled to vote for two or three candidates, he should be at liberty to give the two or three votes to one candidate only, and also alternately to another candidate as suggested above.

cumulo
Alternate and Plural vote.

!!

AS REGARDS THE INDIAN LEGISLATIVE ASSEMBLY:

16. It will be seen from Appendices A and B that there are 1,26,618 voters in the 22 Districts of the Central Provinces and Berar, and an election of five (or even more) members by nearly a quarter million people, spread out in the length and breadth of the Provinces, would inevitably result in an inadequate and unequal representation. To advocate direct election for the Indian Legislative Assembly would be diametrically opposite to the principle of confining the elections for the council strictly within territorial limits, which is based upon the assumption that majority of voters will not take an active and healthy interest in elections unless they are confined within limits to which the electors remain attached either by ties of personal interest or long residence. Nor could I see any objection to the election of members for the Indian Legislative Assembly by the elected and non-official members of the Provincial Legislative Council, when the latter body would be representative of all classes and interests, and direct election would mean no more than a repetition of the elections for the Council under more difficult circumstances.

Indirect election recommended.

17. THE question of the number of members for the Legislative Assembly is again one of an arbitrary nature. The General Principle however for guidance would be to maintain an adequate proportion between the electors and the elected, and I think that the number—viz: five—laid down in the Report is manifestly insufficient, and is certainly not based on the assumption of 100 members in the Legislative Council. I would therefore propose that the number be increased to 7. Of course this could not be done for Central Provinces and Berar only, and the representatives of the Presidencies and other Provinces would also have to be proportionately increased.

Number of Provincial representatives,

18. THE representation should be divided under the following four heads, viz:—

How the 7 seats will be distributed

- (i) Rural,
- (ii) Urban,
- (iii) Commerce and Industry, and
- (iv) Graduates or the University.

The division between these heads of interests would be as follows:—

- (i) Rural—2 from the Central Provinces, and 1 from Berar (Landlords and tenants).
- (ii) Urban—1 from the Central Provinces, and 1 from Berar (Income-tax-assesseees and rate-payers).
- (iii) Commerce and Industry—1 from the Central Provinces and Berar by direct election.
- (iv) Labour—1 from the Central Provinces and Berar also by direct election.

Suggestion for some direct elections explained, Eligibility for the Legislative Assembly

The suggestion for direct election by the representatives of Commerce and Industry and the Graduates is apparent. They will constitute very intelligent electorates and the danger of weight of numbers will be wholly absent in these constituencies. I however make this a suggestion only, for under any circumstances the argument of repetition will remain, more so as one of the bases of the campaign for election in the Local Council will always be the candidate, or the principles announced by the candidate, for the Legislative Assembly. It should however not be necessary that a candidate for the Indian Legislative Assembly should necessarily be a member of the Local Council.

Explanatory 19. It may appear that the Commerce and Industry and the Graduates are over represented in the Legislative Assembly. This is however not so. For the Commerce and Industry hold interests which are out of all proportion to their numbers, and the graduates represent the progressive Indian political thought, and deserve each a separate seat.

AS REGARDS THE COUNCIL OF STATE.

20. The Central Provinces and Berar will elect only one member to the Council of State, and to my mind there is no other feasible scheme except for the elected and non-official members of the Council to elect one. It should not be necessary that a candidate for the Council of State ought to be a member of the Assembly or the Council.

Explanation of Appendices 21. Appendix A gives a list, in each District, of the persons to whom franchise has been extended. They consist of,—

1. Landlords paying Rs. 100 and over as revenue, (para 5);
2. Tenants paying Rs. 75 and over as rent, (para 5);
3. All income-tax-assessees, (para 6);
4. All rate payers, (para 7); and
5. The total.

Appendix B shows in a tabulated form, in each District,—

1. The six different heads of interest, (para 10);
2. The constituencies;
3. The number of seats to which one or more constituencies are entitled; and
4. The total number of seats.

Appendix C gives a list of 10 Provincial Constituencies, and the distribution of 17 seats amongst them.

Result. 22. The result after the distribution of 70 seats in accordance with the appendices A and B is as follows:—

	Rural constituencies get 30 seats,
	Urban constituencies get 30 seats
Mixed	{ Rural & Constituencies get 10 seats.
	Urban
	Total.....70 seats.

C. B. Parakh.

28-11-1918.

Appendix "A".

<i>1. Nagpur.</i>		Landlords ...	2,103	<i>10. Mandla.</i>		Landlords ...	363
		Tenants ...	3,700			Tenants ...	50
		Income-tax- assessesees ...	1,574			Income-tax- assessesees ...	144
		Rate payers ...	7,019			Rate payers ...	854
			14,396				1,411
<i>2. Bhandara.</i>		Landlords ...	1,112	<i>11. Hoshangabad.</i>		Landlords ...	1,055
		Tenants ...	1,023			Tenants ...	3,380
		Income-tax- assessesees ...	466			Income-tax- assessesees ...	520
		Rate payers ...	2,007			Rate payers ...	2,147
			4,608				7,102
<i>3. Wardha.</i>		Landlords ...	1,408	<i>12. Narsingpur.</i>		Landlords ...	820
		Tenants ...	2,016			Tenants ...	1,974
		Income-tax- assessesees ...	656			Income-tax- assessesees ...	247
		Rate payers ...	3,687			Rate-payers ...	701
			7,767				3,742
<i>4. Chanda.</i>		Landlords ...	706	<i>13. Nimar.</i>		Landlords ...	1,194
		Tenants ...	157			Tenants ...	1,203
		Income-tax- assessesees ...	495			Income-tax- assessesees ...	639
		Rate payers ...	1,052			Rate-payers ...	7,969
			2,410				11,005
<i>5. Balaghat.</i>		Landlords ...	616	<i>14. Betul.</i>		Landlords ...	452
		Tenants ...	448			Tenants ...	218
		Income-tax- assessesees ...	235			Income-tax- assessesees ...	293
		Rate payers ...	568			Rate-payers ...	618
			1,867				1,581
<i>6. Jabulpore.</i>		Landlords ...	1,359	<i>15. Chhindwara.</i>		Landlords ...	991
		Tenants ...	2,635			Tenants ...	333
		Income-tax- assessesees ...	783			Income-tax- assessesees ...	341
		Rate payers ...	2,156			Rate-payers ...	2,037
			6,933				3,702
<i>7. Saugor.</i>		Landlords ...	1,469	<i>16. Raipur.</i>		Landlords ...	1,639
		Tenants ...	2,236			Tenants ...	191
		Income-tax- assessesees ...	454			Income-tax- assessesees ...	845
		Rate Payers ...	2,612			Rate-payers ...	1,176
			6,771				3,851
<i>8. Damoh.</i>		Landlords ...	735	<i>17. Bilaspur.</i>		Landlords ...	1,525
		Tenants ...	1,328			Tenants ...	101
		Income-tax- assessesees ...	208			Income-tax- assessesees ...	608
		Rate payers ...	623			Rate-payers ...	1,977
			2,894				4,211
<i>9. Seoni.</i>		Landlords ...	604	<i>18. Drug.</i>		Landlords ...	1,538
		Tenants ...	413			Tenants ...	285
		Income-tax- assessesees ...	278			Income-tax- assessesees ...	291
		Rate payers ...	1,194			Rate-payers ...	231
			2,238				2,345

(2)

<i>19. Amraoti.</i>			<i>21 Yeotmal.</i>		
Tenants	...	6,285	Tenants	...	1,575
Income-tax-asseesees	...	2,918	Income-tax-asseesees	...	1,210
Rate-payers	...	3,222	Rate-payers	...	807
		<u>12,425</u>			<u>3,592</u>
<i>20 Akola.</i>			<i>22 Buldhana</i>		
Tenants	...	5,588	Tenants	...	3,092
Income-tax-asseesees	...	2,009	Income-tax-asseesees	...	1,684
Rate-payers	...	6,801	Rate-payers	...	2,583
		<u>14,458</u>			<u>7,359</u>

Appendix "B"

Serial No.	Name of the District	Landlords.	Tenants.	Income-tax assesses.	Rate-payers.	Commerce & Industry	Labour.	Total	Total number of votes	Number of votes per seat
		Rural	Urban							
1	Nagpur*	1	1	1	1	1	1	6	14,396	3,600
2	Amraoti	0	3	1	1	0	0	5	12,425	2,485
3	Akola	0	3	1	1	0	0	5	14,408	2,892
4	Buldana	0	2	1		0	0	3	7,359	2,453
5	Wardha	1	1	1		0	0	3	7,767	2,600
6	Jubbulpore	1	1	1		0	0	3	6,933	2,311
7	Saugor	1	1	1		0	0	3	6,771	2,257
8	Hoshangabad	1	1	1		0	0	3	7,102	2,367
9	Nimar	1	1	1		0	0	3	11,005	3,668
10	Bhandara	1		1		0	0	2	4,603	2,304
11	Yeotmal	1		1		0	0	2	3,592	1,796
12	Raipur	1		1		0	0	2	3,851	1,926
13	Bilaspur	1		1		0	0	2	4,211	2,106
14	Narsingpur	1		1		0	0	2	3,742	1,821
15	Chindwara	1		1		0	0	2	3,702	2,410
16	Chanda	1		1		0	0	1	2,410	2,410
17	Balaghat	1		1		0	0	1	1,867	1,867
18	Damoh	1		1		0	0	1	2,894	2,894
19	Seoui	1		1		0	0	1	2,238	2,238
20	Mandla	1		1		0	0	1	1,411	1,411
21	Betul	1		1		0	0	1	1,581	1,581
22	Drug	1		1		0	0	1	2,345	2,345
								53		

* In Nagpur 14,366 votes [vide Appendix A. Nagpur] have been divided only amongst the first four constituencies, Commerce & Industry and Labour constituencies being excepted.

Appendix "C".

Provincial seats.

1. Graduates to get 3 seats.
2. Commerce and Industries to get 3 seats.
Textile industry to get 1 seat
Mining industry to get 1 seat
Other industries to get 1 seat.
3. Labourers to get 2 seats.
4. Income-tax-assessees with an annual income from
Rs. 15,000- to Rs. 40,000- to get 1 seat.
5. Income-Tax-assessees with an annual income over
Rs. 40,000 of C. P. to get 1 seat.
6. Landlords of C. P. paying over Rs. 1000- as revenue to get 1 seat.
7. Tenants of C. P. paying rent over Rs. 500. ... to get 1 seat.
8. Tenants of Berar paying revenue over Rs. 1000 to get 1 seat.

Co-opted members.

9. Elected and nominated members to elect one man from
C. P. and Berar to get 1 seat.
10. Elected and nominated members to elect three men
from the minorities, viz. Parsis, Christians,
(which terms includes Europeans, and Native
Christians) Jews, Jains, and Sikhs. to get 3 seats

17 seats.

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Schedule I [A]

Constitution of the C. P. Legislative Council if Berar is to be part of C. P.

100.....	Total No. of Members.	
	Nominated officials... ..	10 <i>G.C.</i>
	" nonofficials	5
	Elected members for C. P.	54
	" " " Berar	30
	University of Nagpur or till it is constituted, graduates of C. P. and Berar	1
	Total.....	100

The Berar Members to be elected as under:--

(i) Taluqs of Berar, excluding Melghat one each .....	...21
(ii) Municipal areas of Amraoti Town and Amraoti Camp .....	...1
(iii) Municipality of Akola .....	...1
(iv) Municipal areas in East Berar excluding Amraoti Town and Camp .....	...1
(v) Municipal areas in Akola District excluding Akola Municipality .....	...1
(vi) Municipal areas in Buldana District .....	...1
(vii) Mahamedans one each district .....	...4
	Total...30

FRANCHISE.

Disqualifications:--

The following persons shall not be entitled to vote:--

- (i) Persons not competent to contract e. g. minors, lunatics
- (ii) Persons below the age of 21.
- (iii) Persons belonging to criminal tribes.
- ing influenced?* (iv) Persons in government service.
- (v) Foreigners.
- (vi) Habitual criminals.
- (vii) Females.

Qualifications:--

The following persons shall be entitled to vote at the Taluq elections:--

- (i) Persons paying land revenue to the extent of Rs. 20 and more
- (ii) Holders of alienated land, holding lands which if assessed would have to pay Rs. 20 or more.
- (iii) Tenants of alienated or unalienated lands assessed or liable to be assessed to Rs. 40 or more.

- (iv) Literates having an income of Rs. 200 a year. _____ 2
- (v) Persons having an annual income of Rs. 300. _____ 2
- (vi) Incorporated bodies (by their secretaries), _____ ?

2. In the case of Mahamedan voters the qualifications to be the same. Mahamedans are not to vote at general elections as separate seats are reserved for them.
3. In the case of seats reserved for Municipal areas, the qualifications for voters should be the same as are necessary in municipal elections.

Qualification of Candidates:-

- (1) He must be over 25 years of age.
- (2) He must be qualified to vote.
- (3) He must be a resident of the District.
- (4) He must not be an undischarged insolvent.
- (5) He must be able to read and write the language in which the business of the Council is ordinarily transacted.

INDIAN LEGESLATIVE ASSEMBLY.

Constitution of the Assembly, if the proportion of nominated to elected members is to be 1 to 4:-

150 Total number of members.

Officials nominated...	...	...	...	...	...	20
Non-officials nominated	...	...	...	...	...	10
Mahamedans elected for the whole of India	...	...	...	...	...	20
Elected by Bombay Presidency	...	...	...	...	...	15
" " Madras	...	...	...	...	...	15
" " Bengal	...	...	...	...	...	15
" " United Provinces	...	...	...	...	...	13
" " Behar and Orissa	...	...	...	...	...	11
" " Panjab	...	...	...	...	...	11
" " Central Provinces	...	...	...	...	...	7
" " Berar	...	...	...	...	...	4
" " Assam	...	...	...	...	...	4
" " Burmah	...	...	...	...	...	3
" " Dehli Province	...	...	...	...	...	1
" " The Hind u University of Benares	...	...	...	...	...	1
						150

Constitution, if proportion is to be 1 to 2:-

150 Total number of members.

Nominated officials..	...	...	...	...	...	33
Nominated non-officials	...	...	...	...	...	17
Elected by the Presidencies of Bombay, Madras and Bengal, 12 each	...	...	...	...	...	36

SCHEDULE 1 (B).

Constitution of the Berar Council, if a separate Council for it is established.

50 Total number of Members.

Nominated officials and non-officials	11
Elected by the Taluqs except Melghat one for each Taluq.....	21
Municipal areas of Amraoti Town and Camp jointly.....	2
Municipal areas of Ellichpur City and Civil Station jointly	1
Towns having a population over 3000 of Amraoti and Chandur Taluqs	1
.....do.....of Ellichpur, Daryapur and Morsi Taluqs... ..	1
Municipal area of Akola.....	1
Towns in Akola, Akot and Balapur Taluqs having a population over 3000	1
Towns in Murtizapur, Mangrul and Basim Taluqs having a population over 3000... ..	1
Towns in Yeotmal, Wun and Kelapur Taluqs having population over 3000	1
Towns in Darwaha and Pusad Taluqs having population over 3000	1
Towns in Khamgaon, Chikhli and Mehkar Taluqs having population over 3000	1
Towns in Malkapur, and Jalgaon Taluqs having population over 3000	1
Mahamedans of Berar... ..	6
(Amraoti 2 Akola 2, Buldana 1 and Yeotmal 1)	4
Total	50

Qualifications for voters and candidates to be the same as in the case of voters and candidates respectively, for the joint Council.

Sharda P. P. Amraoti

Memorandum, dated the 24th November 1918, by the Hon'ble Mr. S. B. Tambe on the Reforms Scheme to be placed before the Franchise Committee.

The Berar Provincial Congress Committee has sent a memorandum of its recommendations on the questions of franchise and the constitution of Legislative Bodies, Provincial and Indian. I adopt this memorandum generally.

2. The Berar Provincial Congress Committee has suggested the constitution of a Legislative Council for Berar, if a separate Council for Berar is constituted. The Berar Provincial Congress Committee and the people of Berar had asked for a separate legislative council for their province, in the addresses they had presented to His Excellency the Viceroy and the Right Hon'ble the Secretary of State. The only remark of the authors of the Reform Proposals about this question is to be found at the end of paragraph 246 of the Reform Proposals. The suggestion is of constituting Berar a sub-province.

3. The Hon'ble Mr. Y. G. Deshpande and myself, in our joint note of the Reform Proposals, have again laid stress on the necessity of constituting Berar a separate province with a separate legislature. A separate province will necessarily mean a separate Governor and Executive Council and will entail expenditure for general administration, and the question naturally arises whether the province will be able to meet the expenditure or whether it is worth while incurring that expenditure. To make Berar a sub-province with a separate legislature may dispense with the post of the Governor and possibly of the Executive Council; but a Governor for the combined provinces of the Central Provinces and Berar will have to be of a higher grade than the Governor for the Central Provinces only, or for Berar only. If a Governor is appointed for Berar, the office of the Commissioner can be done away with. Berar revenues can very well bear the burden of the additional cost. The Central Provinces are composed of districts of different degrees of development. Some districts are backward, and the Government cannot proceed fast enough. The districts of Berar are of equal development, and are more advanced than many of the Central Provinces districts, and their further progress is impeded by their being tacked on to the Central Provinces. A common Governor for the combined Provinces may not always differentiate between the two.

4. Possibly it is not the idea of the authors of the Reform Proposals to keep the revenues of Berar separate from those of the Central Provinces. A sub-province is to be created because of the anomalous position of Berar on account of which no laws for Berar can be initiated in the Central Provinces Council. If the revenues are not to be kept apart, there will be little advantage to Berar by its being created a mere sub-province. What the Berar people ask for is separate legislative and separate finance.

5. It may be doubted if the question whether Berar should be created a separate or sub-province will strictly be within the terms of reference. Conceding that it does not fall within the terms thereof, I do not think that the constitution of the Berar Council will be outside the reference. This Committee can report on the franchise for, and the constitution of, the Berar Council, if it is decided to create it. We have therefore suggested what the constitution thereof should be.

6. It will appear from our recommendations that the electorates suggested are all territorial. Except for Mahomedans, no communal or class electorates are suggested. Fortunately for Berar, there is no conflict of interests of class and class. The relations between Hindus and Mahomedans are friendly. No separate electorate might have been claimed by Mahomedans of Berar if communal representation had not already been recognised elsewhere for them.

But communal representation having been once granted to Mahomedans generally in other provinces, and they being in the minority in these Provinces, we agree to communal representation for them only. The Congress Moslem League Scheme has recognized it and embodies a compromise on that point, which we accept as binding on us.

7. For the Central Provinces, the details of distribution of the total seats have not been given, nor has it been stated how many of those seats should be reserved for Mahomedans. The distribution of these seats I have not attempted, as I think I shall not be able to do so with my present knowledge of the conditions of the Central Provinces districts. I am for only one kind of electorates, and that is territorial. These are the best in the long run for producing liberal-minded and broad-viewed politicians who are required to unify the different interests. I suggest, therefore, that even for the Central Provinces, territorial electorates should be formed. The members of the Legislative Council ought to feel that they are in the Council to look after the interests of the entire province, and not of any particular class.

8. Looking to the suggested constitution of the Legislative Council for the combined provinces of the Central Provinces and Berar, the number of Berar members may appear to some as too large or disproportionate. If only the population is taken into account, that number is too large no doubt, but if other things are taken into account, that number is, if anything, too small. The revenues of the provinces, taking the actuals for 1916-17, are as follows:— Central Provinces, Rs. 2,61,98,213; Berar, Rs. 1,75,88,072; the proportion is 3 to 2. The incidence of total revenues per head is Rs. 2-6-9 in the Central Provinces, while it is Rs. 5-12-6 in Berar. If direct taxation is considered, the land revenue of the Central Provinces amounts to Rs. 1,13,52,367, while that of Berar amounts to Rs. 86,32,256; the proportion is 4 to 3. The revenue from income-tax, in 1917, as appears from the report for 1917, was Rs. 7,09,925 in the Central Provinces, and Rs. 5,52,111 in Berar, excluding the amount of income-tax paid by Government officials and servants. The proportion is 5 to 4. The average land revenue of one district in Berar is more than the average land revenue of three districts in the Central Provinces. The average collection of income-tax per district in the Central Provinces is Rs. 39,440, while that in Berar is Rs. 1,38,025. Take literacy: the average number of literate males over 20 years in Berar, for one district according to the census figures of 1911, is 23,887, while that of a Central Provinces district is 14,461. The percentage of literates over 20 years is five in the Central Provinces and six in Berar. Figures for male population over 20 years are taken, as the minimum age for a voter, as suggested, is 21.

9. In every respect, except population, Berar is justified in claiming the representation asked for. At present, to seven elected members from the Central Provinces there are three elected members from Berar. We are claiming about one-fourth more of what we have—in proportion. The total population of Berar, excluding the Melghat, is about 30 lakhs—one member for one lakh of population in Berar is not too much.

10. The number of official members suggested is ten and that of non-official nominated members is five. The number ten is suggested in view of the remark of the Viceroy and the Secretary of State in paragraph 233 of their Report. They remark that the official element appointed by the Governor should be no larger than is considered necessary for the transaction of business. The number of officials in the present Council is ten, including the three Secretaries. The two members of the Executive Council will be in charge of what will be Reserved Departments or Subjects, and the presence of the Secretaries on the Council will not be necessary. Some of the present departments or subjects, which will be transferred, will be in charge of Ministers, who will be, according to the proposals, members of the Executive Government, and will represent the official view. Excluding the seats of the two members of the Executive Council, there will still be eight seats available for officials, which I think will be sufficient to secure the presence of officials necessary for the transaction of business.

11. Lord Chelmsford and Mr. Montagu are not in favour of nomination but they have retained nomination to secure, if necessary, representation for any particular class or interest which may not be otherwise represented. Five seats for that purpose will be quite sufficient.

12. In the disqualifications set out in the memorandum of the Berar Provincial Congress Committee, I suggest the following alterations. Persons belonging to criminal tribes are not to vote according to that memorandum. I think that if a person is otherwise qualified to vote, he should not be disqualified merely because he belongs to a tribe which is considered criminal. Innocence is to be presumed till guilt is established. "Foreigners" again is too wide a term: it will include even subjects of an Indian State. I would therefore suggest for "foreigners" the following: "Foreigners, other than subjects of an Indian State." Females are excluded in the memorandum. I am for extending the franchise to women. They are already entitled to vote in municipal elections for a number of years. In rural areas, no doubt, the women of the classes preponderating in those areas do not as a rule appear in public nor are they sufficiently educated. There will be more chances for impersonation, and the number may swell the voters' lists. For these reasons they may, for the present, be excluded in rural areas only. I would therefore suggest for the word "Females" "Women except in urban or municipal areas."

13. The qualifications for voters are so fixed as to sufficiently broaden the franchise. At present only persons paying Rs. 64 or more as land revenue are entitled to vote in the Taluq Board elections. There are other persons who are also entitled to vote, though they do not pay Rs. 64 as land revenue, but the number of such persons is small. The number of present electors for Taluq Boards is 24,813. By lowering the limit of property qualification, the number of voters will, I surmise, go up to nearly two lakhs. The literate males over 20 years of age, according to the last census, were over 97,300. Such persons will, I have no doubt, now amount to one lakh at least. By fixing an income of Rs. 200 a year as qualifying a literate to vote, the franchise will be extended to at least that number. The number of proprietors or tenants of land possessing the qualification set out, but not literate, will be considerable. The number of voters in all municipal areas according to the present qualifications will be about 20,000. The qualifications set out will secure the inclusion of persons of all classes or interests in the voters' lists.

14. The male population over 20 years of age is a little over eight lakhs. About 25 per cent of that will be voters. It is a sufficiently broad franchise, we believe, to start with.

15. As Mahomedans have been allowed separate seats, they should not be allowed to vote or seek election in either electorates. This is also in accordance with the compromise arrived at between the Indian National Congress and the All-India Moslem League.

16. In the qualifications for a candidate for election, the second qualification suggested is that he must be qualified to vote. It should not be necessary that his name should be on the voters' lists. The lists of voters will be large, and there will creep in many inaccuracies. I do not think that a man should be precluded from standing merely because his name is not mentioned in the voters' lists. The last qualification is purposely set out. It is necessary for a member of council to be acquainted with the language in which the business of the council is ordinarily transacted. Otherwise, he cannot follow the proceedings and be a useful member of that body. Interpretation to him of what is being said or read and of what he says or reads will entail loss of time. Every district has now men well acquainted with English, who can represent the people of the district or taluq.

17. The memorandum of the Congress Committee has set out alternative constitutions of the Indian Legislative Assembly, if it is within the terms of reference, impliedly if not expressly, to take opinion about the proportion of

nominated members to elected members of that assembly. The Congress League Scheme demands that not more than one-fifth of the total members should be nominated. The people of Berar and the Berar Provincial Congress Committee had also in their addresses claimed the same proportion, and I personally think that the number is quite sufficient for the transaction of business.

18. The total number of members of the Indian Legislative Assembly is suggested to be 150. For an adequate representation of 225 millions, 120 members is not a large number. The number of elected members will be only 100 instead of 120, if the proportion of 1 : 2 of nominated to elected members is retained.

19. The authors of the Reform Proposals suggest that in the Indian Legislative Assembly, out of 67 elected members, the Central Provinces should have five, while Behar and Orissa should have seven. Behar and Orissa and the Central Provinces with Berar should have equal status. The revenues of the Central Provinces are greater than those of Behar and Orissa. Out of 100 elected members therefore nine for the Central Provinces and Berar would not be quite out of proportion with the suggestion of the Viceroy and the Secretary of State. Out of the nine members for the Central Provinces and Berar, three should be from Berar as suggested in the memorandum of the Berar Provincial Congress Committee.

20. Direct representation, as far as possible, is also desirable in the Indian Legislative Assembly. To have for the Indian Legislative Council elections the same voters as for the Provincial Council elections will be impracticable on account of the numbers. The electors of the Indian Legislative Assembly seats should be chosen from the voters for the Provincial Council seats, or should be delegates from those voters. The memorandum of the Berar Provincial Congress Committee proposes an electorate which may be said to be a direct electorate.

21. If higher qualifications for voters are fixed as regards possession of property, education or payment of taxes or of revenue or rent, a limited but sufficiently broad electorate electing direct representatives to the Indian Legislative Assembly can be secured. I suggest that the following persons should be entitled to vote:—

- (1) Persons paying Rs. 500 or more as land revenue or rent.
- (2) Persons paying Rs. 100 or more as income-tax.
- (3) Graduates and licenciates of any recognized University of five years' standing.
- (4) Persons holding land, liable to pay Rs. 500 as land revenue, if assessed.
- (5) Elected members of Local Boards and Municipal Committees.

All these persons jointly should elect the members of the Indian Legislative Assembly.

22. Twenty seats are reserved for Mahomedans of India in the memorandum or 20 per cent of the elective seats. The distribution of the seats amongst the provinces I would leave to my Mahomedan brothers. This number includes Mahomedan seats for Berar and the Central Provinces.

23. About the suggestions in the proposals that seats for Chambers of Commerce should be reserved in the Indian Legislative Assembly, I agree with the recommendation of the Berar Provincial Congress Committee that no seats should be reserved in the legislative assembly. At present only two members, those of Bombay and Calcutta, elect two members, one each. These Chambers and other Chambers, both Indian and non-Indian, should be allotted one or two seats out of the seats allotted to the province in which the Chamber or Chambers of Commerce exist. For example, in Bombay and Bengal out of the 13 or 15 seats allotted to them apiece, one seat or two seats should be reserved for the Chambers of Commerce in those Provinces.

24. The memorandum of the Berar Provincial Congress Committee has only claimed one member for Berar in the Council of State, and has made no suggestions. I support the claim. If Berar will be a separate province, it will be but just that Berar Council should send at least one member to the Council of State. If Berar and Central Provinces have one council, the combined provinces should be treated equally with Behar and Orissa, which will be sending two members according to the authors of the Proposals. Out of these two there should be one from Berar. Instead of the two members being elected by the Central Provinces and Berar members of the Provincial Council separately, they may be elected by all the members, provided one is from Berar.

25. About the electorate for the six seats referred to in paragraph 27 of the Reform Proposals, the members for two seats meant to be reserved for Chambers of Commerce should be elected by the European and Indian Chambers of Commerce. The electorate for Mahomedan seats should be—

- (a) Mahomedan graduates and licentiates of any recognised University of 10 years' standing.
- (b) Mahomedans having a non-agricultural income of Rs. 6,000 a year.
- (c) Mahomedans paying Rs. 1,000 as land revenue, or holding land, which, if assessed, would be liable to pay Rs. 1,000.

26. The electorate for landholders' seats should be—

Landholders, other than Mahomedan landholders, paying Rs. 1,000 as land revenue or holding land which, if assessed, would be liable to pay Rs. 1,000 as land revenue.

27. The elected members of the Council of State should be equal to the nominated official and non-official members. All the Provincial Legislative Councils should have an equal right in sending representatives to the Council of State, and there should be no difference in the number of members to be elected by these councils.

APPENDIX.

I.—CONSTITUTION OF THE CENTRAL PROVINCES LEGISLATIVE COUNCIL IF BERAR IS TO BE PART OF THE CENTRAL PROVINCES.

The total number of members to be 100 as under:—

Nominated officials	...	...	10
" non-officials	...	...	5
Elected members for Central Provinces	...	...	54
" Berar	...	...	30
University of Nagpur, or till it is constituted, graduates of the Central Provinces and Berar.	...	...	1
			100

The Berar members to be elected as under:—

(i) Taluqs of Berar, excluding the Melghat, one each	...	...	21
(ii) Municipal areas of Amraoti Town and Amraoti Camp.	...	...	1
(iii) Municipality of Akola	...	...	1
(iv) Municipal areas in East Berar excluding Amraoti Town and Camp.	...	...	1
(v) Municipal areas in Akola district excluding Akola Municipality.	...	...	1
(vi) Municipal areas in Buldana district	...	...	1
(vii) Mohamedans, one each district	...	...	4
			30

II.—FRANCHISE.

Disqualifications:—

The following persons shall not be entitled to vote:—

- (i) Persons not competent to contract, *e. g.*, minors, lunatics.
- (ii) Persons below the age of 21.
- (iii) Persons in Government service.
- (iv) Foreigners.
- (v) Habitual criminals.
- (vi) Women except in urban or municipal areas.

Qualifications:—

The following persons shall be entitled to vote at the taluq elections:—

- (i) Persons paying land revenue to the extent of Rs. 20 and more.
- (ii) Holders of alienated land, holding lands which, if assessed, would be liable to pay Rs. 20 or more as land revenue.
- (iii) Tenants of alienated or unalienated lands assessed or liable to be assessed to Rs. 40 or more.
- (iv) Literates having an income of Rs. 200 a year.
- (v) Persons having an annual income of Rs. 300.
- (vi) Incorporated bodies (by their secretaries).

2. In the case of Mohamedan voters the qualifications to be the same. Mohamedans are not to vote at general elections as separate seats are reserved for them.

3. In the case of seats reserved for municipal areas, the qualifications for voters should be the same as are necessary in municipal elections.

Qualifications of candidates:—

- (1) He must be over 25 years of age.
- (2) He must be qualified to vote.
- (3) He must be a resident of the district.
- (4) He must not be an undischarged insolvent.
- (5) He must be able to read and write the language in which the business of the council is ordinarily transacted.

III.—INDIAN LEGISLATIVE ASSEMBLY.

Constitution of the Assembly, if the proportion of nominated to elected members is to be 1 to 4 :—

The total number of members to be 150 as follows :—

Officials nominated	...	...	20
Non-officials nominated	...	...	10
Mohamedans, elected, for the whole of India	...	...	20
Elected by Bombay Presidency	...	...	15
" Madras	...	...	15
" Bengal	...	...	15
" United Provinces	...	...	13
" Behar and Orissa	...	...	11
" Punjab	...	...	11
" the Central Provinces	...	...	7
" Berar	...	...	4
" Assam	...	...	4
" Burmah	...	...	3
" the Delhi Province	...	...	1
" The Hindu University of Benares	...	...	1
		Total	150

Constitution, if proportion is to be 1 to 2 :—

The total number of members to be 150 as under :—

Nominated officials	...	...	33
Nominated non-officials	...	...	17
Elected by the Presidencies of Bombay, Madras and Bengal, 12 each.	...	...	36
Elected by the United Provinces	...	...	11
" Punjab and Bihar and Orissa, 9 each	...	...	18
" the Central Provinces	...	...	6
" Berar	...	...	3
" Assam and Burmah, 2 each	...	...	4
" the Delhi Province and the Hindu University of Benares, 1 each.	...	...	2
		Total	150

No seats for Chambers of Commerce should be reserved as such in the Indian Legislative Assembly as there are several Provinces in which Chambers of Commerce do not exist, such as the Central Provinces. One seat, however, if necessary two even, should be reserved out of the seats allotted to the Provinces having such Chambers for them.

Electorate for the Legislative Assembly of India.

- (i) All elected members of the Municipal Committees.
- (ii) All elected members of the Taluq or Local Boards.
- (iii) Holders of land, assessed to land revenue, or if assessed liable to pay land revenue, amounting to Rs. 500 or more, or, persons, paying Rs. 500 as land revenue.
- (iv) Persons paying Rs. 100 or more as income-tax.
- (v) Graduates and Licenciates of recognized Universities of five years standing.

N. B.—The general disqualifications set out above to be disqualifications in the case of voters of the third class.
All the classes of voters should jointly elect all the members.

IV.—COUNCIL OF STATE.

There should be one member in the Council of State on behalf of Berar. He should be elected by the elected members of the Central Provinces Council, or if a separate Legislative Council for Berar is constituted by the elected members of that Council. The Council of State is to be practically the final legislative authority and it is essential that Berar should be represented in that Council. The electorates for the special six seats are suggested in the accompanying note.

V.—CONSTITUTION OF THE BERAR COUNCIL IF A SEPARATE COUNCIL FOR IT IS ESTABLISHED.

The total number of members to be 50 as under :—		
Nominated officials and non-officials	...	11
Elected by the Taluqs except Melghat, one for each Taluq	...	21
Municipal areas of Amraoti Town and Camp jointly	...	2
Municipal areas of Ellichpur City and Civil Station jointly	...	1
Towns having a population of over 3,000 of Amraoti and Chandur Taluqs,		1
" " " of Ellichpur, Daryapur and Morsi		1
" " " Taluqs.		
Municipal area of Akola	...	1
Towns in Akola, Akot and Balapur Taluqs having a population of over 3,000.		1
Towns in Murtizapur, Mangrul and Basim Taluqs having a population of over 3,000.		1
Towns in Yeotmal, Wun and Kelapur Taluqs having a population of over 3,000.		1
Towns in Darwha and Pusad Taluqs having a population of over 3,000..		1
Towns in Khangaon, Chikhli and Mehkar Taluqs having a population of over 3,000.		1
Towns in Malkapur and Jalgaon Taluqs having a population of over 3,000.		1
Mohamedans of Berar (Amraoti 2, Akola 2, Buldana 1 and Yeotmal 1).		6
	Total	50

Qualifications for voters and candidates to be the same as in the case of voters and candidates, respectively, for the joint Council. For voters in urban areas, other than municipal areas, qualifications as in the case of municipal voters should be required.

**Memorandum by the Hon'ble Rai Bahadur Sir Bipin Krishna Bose,
Kt., C.I.E., to be placed before the Franchise Committee.**

In connection with the elaboration of a Franchise Scheme, the question of representation of important minorities is one of great importance. Their interests must be duly safeguarded. Communal representation has been suggested as a means of securing this object. An alternative in the form of proportional representation with transferable votes has been urged by some, especially by the Hon'ble Mr. Paranjpye, Principal, Fergusson College, Poona. In what follows an attempt is made to show how proportional representation can be worked so as to permit of representation of minorities.

2. The first requisite is that the constituencies must be large enough to permit of return of more than one member each. But although there will be several members to elect, each elector shall have only one vote, which he will give to the candidate he likes best. But in certain contingencies, he will have the right to transfer his vote from one candidate to another.

3. When a constituency returns only one member, the representation cannot be divided. The successful candidate must be the nominee of a single party. Those not belonging to the party which will be able to bring within its fold the largest number of voters will go unrepresented, even though they may constitute a very substantial portion of the entire voting strength of the constituency. But in a multi-member electoral area it is possible to give representation within it to more than one party or to more than one shade of opinion.

4. The first principle is that the voting power should not depend on the number of members to be returned. If the number of votes which each voter can record depends on the number of members to be returned, then the object of having multi-member constituencies will not be attained. For, by judicious distribution and manipulation of their votes, the majority will be able to capture all the seats. To prevent this, no voter shall be given more than one vote, whatever the number of members to be returned. This may be illustrated by an example. Suppose a constituency with 5,000 voters returns five members. As each person has only one vote, only 5,000 votes can be recorded, and if a party consisting of 1,000 electors all vote solid for a particular candidate, his election is secured. Thus a fifth of the electorate secures a fifth of the representation.

5. The vote has also to be made transferable in order to get proportional representation. The single vote by itself does not secure this result. It only allows minorities to get some representation, but not a fair share of it according to their strength. For the elector, when recording his vote, cannot know whether the person he votes for will receive more support than he needs to ensure his return, nor will he know whether he will receive so little support as to give him no chance of success. For instance, a popular candidate of a particular party may receive in a constituency of 5,000 voters referred to in the preceding paragraph more than 1,000, say 1,500 votes, when he needs only 1,000. Thus 500 votes given in excess are lost to his party. Or the voters of a party may have scattered their votes over too many candidates and thus might fail to get any representation at all. The transferable vote provides against both these contingencies. It enables the elector to indicate his second or even further choices, to whom his vote may be transferred, when either his first choice gets more votes than he needs, or when all the surplus votes have been transferred, the elector's first choice is at the bottom of the poll. Thus under this system the electors are able to combine themselves into groups of equal size and secure as many representatives as they are justly entitled to according to their strength.

6. The system is thus worked. The elector votes by placing the figure (1) against the name of the candidate he likes best. He is not bound to do more. But he may, if he so desires, indicate his further choices by placing the figures (2), (3), (4), &c., against the names of the other candidates whom he would also desire to see elected in the above order. This marking will ensure that no vote of his will, as far as may be, go for nothing. The candidate who is marked (1) first gets the benefit of the vote. But if, after this process is

continued to the end, he gets more votes than he needs, the surplus votes are carried forward by the returning officer to the candidates who are marked as the next preferences. If a second choice candidate does not need all the votes thus credited to him, the excess is transferred to the third choice and so on. The votes thus transferred are added to the first or second choice votes, as the case may be. And as soon as a candidate's total reaches the figure necessary for his election, he is declared elected. It may so happen that after all the surplus votes have been transferred, there may still remain vacancies to be filled. In that case, the candidate at the bottom of the poll is eliminated as having no chance and the votes for him, instead of being wasted, are transferred to those candidates who are marked in the voting paper as the voter's next choice. The votes thus transferred are added to the original votes and as soon as the minimum needed to secure success is attained, the candidate is declared elected.

7. The minimum, or as it is called the quota, required for success is that proportion of the aggregate votes, which for a certainty secures the election of a candidate. If there is only one candidate to be elected, then this minimum is one more than half the total number of votes. In a two-member constituency, any candidate who secures more than one-third of the votes must be elected. The minimum in this case would be one more than one-third. For instance, if there are 100 voters, only two candidates can poll as many as 34 each. Together they will have 68, leaving only 32 for all the other competitors. Similarly in a three-member constituency the candidate who obtains more than one-fourth (26 out of 100) is sure of success. The following formula is deducible from the figures worked up by the Hon'ble Mr. Paranjpye in order to arrive at the quota : $\frac{\text{No. of voters voting}}{\text{No. of seats} + 1} + 1 = \text{the quota.}$

8. The transfer of votes in excess of the quota has to be carried out in such a manner as to do even justice to all candidates who are marked as the next preferences in the voting papers. This is done in the following manner :—Suppose the most popular candidate (A) gets 300 votes while he needs only 200. He can thus spare 100 votes. The returning officer re-assorts all the 300 voting papers according to the names marked (2). Suppose the result is that candidate (B) is marked (2) on 240 papers and another candidate (C) is marked (2) on the remaining 60 papers. Now the candidate (A) can spare one-third of his total votes, i. e., 100 out of 300. He can thus spare for (B) one-third of 240 papers on which (B) is marked (2), or 80. He can similarly spare for (C) one-third of 60 on which (C) is, second preference, i. e., 20. Accordingly 80 votes are transferred to (B) and 20 to (C), thereby giving to these persons their fair share of the surplus.

9. Regarding the practical difficulties of working the scheme, it will be observed that so far as the voters are concerned there need be no difficulty. They will merely be called upon to state their preferences by putting marks (1), (2), (3), &c., against the names of the candidates and there their duty will end. But the returning officer will have to be thoroughly well grounded in the details of the scheme and how to work them out. It will always be possible to have returning officers who will be able to do the needful in this respect.

10. The system of transferable vote has been recommended for adoption in the report regarding the election of the elected element of the Grand Committee (see paragraph 252). Reserving to a particular community a certain number of seats in plural constituencies, with a general electoral roll, has also been recommended for consideration as a suitable substitute for nomination in securing the representation of minorities in preference to communal electorates (see sub-paragraph (3) of paragraph 232).

Legislative
Council.

11. Communal or special representation should be provided for only in the case of Mohamedans for reasons given in the Report. They constitute about three per cent of the total population in the Central Provinces excluding the Feudatory States.

12. All other important minorities should be represented through the scheme of proportional representation as summarised above.

13. The Anglo-Indian Community, the Mining interest and Mills and Factories should be represented by means of nomination.

14. The electorates should be territorial. They should be arranged according to the revenue district, except in the case of the towns of Nagpur and Jubbulpore, which should constitute separate electorates.

15. In the district electorates the voters should be—

- (a) proprietors of mahals, pattis, estates or land, the land-revenue or the kamil-jama of which is Rs. 100 or above; "proprietor," should include a transferee of proprietary rights in possession and a thekedar with protected status;
- (b) tenants (but not sub-tenants), rent of whose holdings is Rs. 50 or above, whether the same be paid or delivered in money or kind, or would but for a special contract be paid or delivered;
- (c) raiyats holding survey-numbers and assessed to land-revenue of Rs. 100 or above;
- (d) payers of income-tax;
- (e) graduates of any recognised university;
- (f) municipal voters in municipal areas other than in the towns of Nagpur and Jubbulpore for which separate representation is provided.

16. In the towns of Nagpur and Jubbulpore, municipal voters should be the voters.

17. The number of members should be 60, out of which one-fifth or 12 should be nominated.

(a) The nominated members should be thus distributed—

Anglo-Indians	...	...	...	1
Mills and Factories	...	...	...	1
Mining Industry	...	...	...	1
Officials	...	...	...	9

(b) The 48 elected members should be distributed as follows:—

Nagpur District, excluding the municipal town of Nagpur	...	...	...	4
Wardha District	...	...	...	3
Chanda "	...	...	...	2
Bhandara "	...	...	...	2
Balaghat "	...	...	...	2
Total	...	...	...	13

Jubbulpore, excluding the municipal town of Jubbulpore	...	...	...	3
Saugor District	...	...	...	3
Camoh "	...	...	...	2
Seoni "	...	...	...	2
Mandla "	...	...	...	1
Total	...	...	...	11

Hoshangabad District	...	...	...	3
Narsinghpur "	...	...	...	2
Nimar "	...	...	...	2
Betul "	...	...	...	2
Chhindwara "	...	...	...	2
Total	...	...	...	11

Raipur District	...	...	...	3
Bilaspur "	...	...	...	2
Drug "	...	...	...	1
Total	...	...	...	6

Municipality of Nagpur	...	...	...	2
Municipality of Jubbulpore	...	...	...	1
Mohamedans through their special electorates...	...	...	...	4
Total	...	...	...	7

Grand Total ... 48

18. My allocation of members is mainly based on the figures given in Appendix K referred to in answer to Question No. 101, asked at the meeting of the Council on the 29th of July 1918. (See page 252 and page 330 of the official printed proceedings of the Council.) I give below for ready reference the aggregate of the figures given in columns (4), (7) and (8) of the above appendix for each district. These columns correspond to clauses (a), (b) and (d) of my paragraph 15—

Nagpur	...	11,656	Mandla	...	799
Wardha	...	6,284	Hoshangabad	...	8,180
Chanda	...	1,735	Narsinghpur	...	5,265
Bhandara	...	3,106	Nimar	...	4,422
Balaghat	...	1,710	Betul	...	1,478
Jubbulpore	...	7,366	Chhindwara	...	2,245
Saugor	...	7,273	Raipur	...	3,259
Damoh	...	3,840	Bilaspur	...	2,535
Seoni	...	2,065	Drug	...	2,847

19. It cannot be denied that there is inequality in the above allotment of seats. For instance, the Chhattisgarh Division with a population of 32 lakhs has only 8,641 voters under my clauses (a), (b) and (d) and returns six members; whereas the Nagpur Division, with a population of 31 lakhs, has 24,491 voters under the same heads and returns 13 members. The district of Nagpur, with a population of eight lakhs, has 11,656 voters under my clauses (a), (b) and (d); whereas Raipur, with a population of thirteen lakhs, has only 3,259 voters under the same three heads. As far as I can make out, the chief reason for the inequality in the number of landholding and agricultural voters in the various districts is that the incidence of rent per acre varies from district to district. For instance, in Raipur (Khalsa) it is 13 annas 7 pies and as low as 4 annas 11 pies in the Zamindari area. In Bilaspur (Khalsa) it is 11 annas 7 pies. In Nagpur it is Rs. 1-6-2, in Jubbulpore Rs. 1-3-3, and in Narsinghpur Rs. 1-11-2, the highest in the Province. Another reason for the small number of tenants paying Rs. 50 and above in the Chhattisgarh Division is that here lands are very much sub-divided and generally the holdings are small in area as compared with the holdings in the advanced districts. It may be possible to introduce some equality if the qualifying figure of revenue and rent be made to vary from district to district according to the incidence of rent. This is a point for consideration.

**Memorandum by the Hon'ble Mr. G. S. Khaparde, B.A., LL.B.,
Amraoti, on the Reforms Scheme to be placed before the Com-
mittee on Franchise.**

The terms of reference to the Franchise Committee as set out in paragraph 1, sub-clauses (1), (2), (3), (4) and 5, are briefly summarised, and the proposals hereby made are given under each separately for convenience and ready reference—

(1) The franchise proposed should be as wide as possible for the province consistently with its not being so inordinate and sudden as might lead to a break-down through sheer weight of numbers.

The total population of Berar is about 30 lakhs. Of these, under the scheme proposed by me, those entitled to vote would be about two lakhs. This, I think, is broad enough for a beginning, and yet not so big as to break down by its own weight of numbers.

(2) The election should be direct as far as possible. Under the proposals hereinafter made, the election is direct both in Rural and Urban areas. The taluqs are the units in the former and municipalities and other towns having a population of 3,000 and upwards in the latter. These simple divisions will tend to convenience both in voting and in maintaining the voting registers.

(3) The circumstances of this Province are very favourable to the adoption of the territorial principle. It is not only desirable and convenient, but eminently just. It has therefore been completely adhered to, and expedients of communal representation, &c., have been excluded, except in the single instance of Muhamedans, for whom a special electorate is allowed.

(4) The number of nominated officers will be ten, if Berar and Central Provinces have between them one council.

If, however, Berar is separated from Central Provinces and made into a separate province as it originally was, seven officials nominated. (Paragraph 233 of the Report.)

(5) As a result of the above the following is my scheme on the point.

Constitution of the Central Provinces Legislative Council, if Berar to is be part of the Central Provinces.

The total number of members to be 100 as follows :—

Nominated officials	...	...	...	10
Nominated non-officials	...	...	...	5
Elected members for Central Provinces	...	...	...	54
Elected members for Berar	...	...	...	30
University of Nagpur or till it is constituted graduates of Central Provinces and Berar.	...	...	...	1
			Total	100

The Berar members to be elected as under :—

(1) Taluqs of Berar, excluding Melghat, one each	...	...	21
(2) Municipal areas of Amraoti Town and Amraoti Camp	...	...	1
(3) Municipality of Akola	...	...	1
(4) Municipal areas in East Berar, excluding Amraoti Town and Camp.	...	...	1
(5) Municipal areas in Akola District, excluding Akola Municipality.	...	...	1
(6) Municipal areas in Buldana District	...	...	1
(7) Muhamedans, one each district	...	...	4
		Total	30

Electorates.

The number of nominated official members.

50

Disqualifications—

The following persons shall not be entitled to vote:—

Franchise.

- (i) Persons not competent to contract, *e. g.*, minors and lunatics.
- (ii) Persons below the age of 21.
- (iii) Persons belonging to criminal tribes.
- (iv) Persons in Government service.
- (v) Foreigners
- (vi) Habitual criminals.
- (vii) Females in rural areas.

Qualifications—

The following persons shall be entitled to vote at the Taluq elections:—

- (i) Persons paying land revenue to the extent of Rs. 20 and more.
- (ii) Holders of alienated land, or lands which if assessed would have to pay Rs. 20 or more.
- (iii) Tenants of alienated or unalienated lands assessed or liable to be assessed to Rs. 40 or more.
- (iv) Literates having an income of Rs. 200 a year.
- (v) Persons having an annual income of Rs. 300.
- (vi) Incorporated bodies (by their secretaries).

In the case of Muhamedan voters the qualifications to be the same, as Muhamedans are not to vote, at general elections, as separate seats are reserved for them.

In the case of seats reserved for Municipal areas, the qualifications for voters should be the same as are necessary in Municipal elections.

Qualifications of Candidates—

- (1) He must be over 25 years of age.
- (2) He must be qualified to vote.
- (3) He must be a resident of the district.
- (4) He must not be an undischarged insolvent.
- (5) He must be able to read and write the language in which the business of the council is ordinarily transacted.

or, Constitution of the Berar Council, if a separate council for it is established—

Total number of members to be 50 as follows:—

Nominated officials and non-officials	...	11
Elected by the Taluqs except Melghat, one for each Taluq	...	21
Municipal areas of Amraoti Town and Camp jointly	...	2
Municipal areas of Ellichpur City and Civil Station jointly	...	1
Towns in Akola, Akot and Balapur Taluqs having a population over 3,000.	...	1
Towns in Murtizapur, Mangrul and Basim Taluqs having a population over 3,000.	...	1
Towns in Yeotmal, Wun and Kelapur Taluqs having a population over 3,000.	...	1
Towns in Darwba and Pusad Taluqs having a population over 3,000.	...	1
Towns in Khamgaon, Chikhli and Mehkar Taluqs having a population over 3,000.	...	1
Towns in Malkapur and Jalgaon Taluqs having a population over 3,000.	...	1
Towns having a population over 3,000 of Amraoti and Chandur Taluqs.	...	1
Towns having a population over 3,000 of Ellichpur, Daryapur and Morsi Taluks.	...	1
Municipal area of Akola	...	1
Muhamedans of Berar (Amraoti 2, Akola 2, Buldana 1 and Yeotmal 1).	...	6
Total	...	50

Qualifications for voters and candidates to be the same as in the case of voters and candidates respectively for the joint council.

In the scheme mentioned above, it will be seen that I allow votes to women in urban areas, and put them on terms of equality with males, in respect of their qualifications. This is not done in the case of rural areas, both because general advance there is not the same as in urban areas and also because regard being had to the customs of the country, there will be considerable difficulties experienced in practice in recording the votes of women.

2. As regards the Indian Legislative Assembly dealt with in paragraphs 273 to 275 of the Report, I am very glad to note that the numerical strength mentioned therein is not to be strictly adhered to. The Report proposes that the assembly should have a hundred members. The Indian National Congress in its special session at Bombay suggested that the number should be increased to 150. I am in favour of the higher figure as it is calculated to make an approach, however distant at present, to something having the semblance of justice to the representation of the 225 millions of India.

Art. 1) Constitution of the Indian Legislative Assembly.

It may be noted also that the Report gives two-thirds and one-third as the proportions of the elected and nominated members. The special Indian National Congress alters the proportion to four-fifths and one-fifth respectively. As it is to be the chief popular assembly of the Indian Empire, it appears to me that the Congress proposal carries out the idea better than the Report. So I accept it.

3. According to me, then, the legislative assembly will consist of 150 members, distributed as hereinafter mentioned. The representation will be partly direct and partly indirect: direct, so far as landholders and payers of income-tax are concerned, and indirect, so far as the elected members of Municipalities and Taluq Boards are concerned. They all taken together, i. e., landholders, payers of income-tax, members of Municipalities and members of Taluq Boards, will form one constituency which will elect four members to the Indian legislative assembly without the right of cumulative voting.

Representation, partly direct and partly indirect.

Amir

The qualifications of voters will be—

- (1) an elected member of one of the Municipalities in Berar;
- (2) an elected member of one of the Taluq Boards in Berar;
- (3) being a payer of income-tax of Rs. 100 or more;
- (4) being a holder of land paying, or which, if assessed, would pay, an assessment of Rs. 500 or more.

Distribution of members—

(1) Officials, nominated	...	...	...	20
(2) Non-officials, nominated	...	...	...	10
(3) Muhammedans, elected for the whole of India	...	...	...	20
(4) Bombay	...	...	...	15
(5) Madras	...	...	...	15
(6) Bengal	...	...	...	15
(7) United Provinces	...	...	...	13
(8) Punjab	...	...	...	11
(9) Behar and Orissa	...	...	...	11
(10) Central Provinces	...	...	...	11
Berar	...	...	...	4
(11) Assam	...	...	...	4
(12) Burma	...	...	...	3
(13) Delhi	...	...	...	1
(14) The Hindu University of Benares	...	...	...	1
			Total	150

It may be noted that in paragraph 274 of the Report in which the Presidencies, Provinces and the members allotted to each are enumerated, Central Provinces is mentioned by itself alone, and five members are allotted to it. Berar is omitted, I believe, by oversight. I have introduced it either to form a province by itself as it was formerly, or to be shown as taken in conjunction with the Central Provinces on the analogy of Orissa and Behar. These two provinces are very much in the same position as the Central Provinces and Berar. Taking, then, the total strength of the Indian Legislative Assembly to be 150, eleven fall to the share of Orissa and Behar. So I have allotted an equal number to the Central Provinces and Berar and given seven to the former and four to the latter.

Council of State. 4. As regards the Council of State, my proposals involve the increase of the number of fifty fixed for it by the Report. This is due to the circumstances already noted above that in the enumeration of the provinces, Berar appears to have been omitted through inadvertence. If it is admitted, as I hope it will be, either by itself as an independent unit or as amalgamated with the Central Provinces for convenience of administration, it is only fair that it should have a member in addition to the one already allotted to the Central Provinces. This small addition will, it is submitted, cause no great alteration or inconvenience. Though the number of its members is said to be fifty in the Report, it really is fifty-one, because His Excellency the Governor-General comes in as the official President. Under my scheme the Council of State will consist of fifty-one, and His Excellency as President will head the list and make the total number fifty-two. This will secure symmetry, will do justice to the claims of Berar which, to say the least of it, cannot be said to be inferior to Orissa or Behar, and will maintain the Government majority intact if the nominated members are counted on the officials' side, as they generally would vote that way. If, however, this mode of competition is not accepted for some reason, and if it is deemed undesirable to increase the total strength of the Council, then I submit that an elected member for Berar should be provided by reducing the number of nominated members from four to three. This little diminution will cause no inconvenience as nominations in this instance are intended to supply the deficiencies in elections. This view derives support from that portion of the recommendation of both the Indian National Congress and the Committee of the Indian Legislative Council in which they suggest that the number of elected members should be equal to those of the nominated. It would be a substantial compliance if the Government have twenty-six including the President, people have twenty-two elected, the remaining three being regarded as neutral for the sake of computation. Even if the nominated voted with the elected members, the Government would have clearly a majority of one, and there would never be a tie. The position would remain exactly the same as it is under the Report.

5. Of the twenty-two elected members sixteen will be elected by the elected members of the Provincial Councils and two by the Chambers of Commerce. So, there remain only four to be elected by two constituencies large enough to cover the whole of British India. One of these two will be for Muhammedans, and the other for landlords. In the present circumstances direct representation appears impracticable, so I propose to establish two electoral colleges for the two constituencies. As Muhammedans in these parts are somewhat backward in education and are not blessed with worldly means, I am inclined to think that the qualifications for the voters in their case should be somewhat lower than those for the sister constituency for landlords, but they cannot be so low as to infringe on the general principle of being manageable, so I propose that all Muhammedans in British India paying five hundred rupees or more as land revenue and rupees two hundred or more as income-tax should elect, say, one hundred men to form their electoral college, and all non-Muhammedan landholders paying rupees one thousand or more as land revenue should form the other constituency and elect, say, a hundred to form their electoral college. These elections need not be difficult when carried out in their respective provinces. These colleges, when constituted, should meet and elect two representatives for each. The persons so elected will represent the whole of India for Muhammedans and the landlords.

I would not limit the discretion of these electorates by prescribing the qualifications of the candidates for elections. They should be free to elect whom they please, subject to the general limitation about being qualified to contract and owing allegiance to British Government.

6. Thus, under my proposals, the scheme for the Council of State will be as follows.

It will consist of 1 president and 51 members, making fifty-two in all, distributed as follows:—

- 1 President, Governor-General.
- 25 Nominated officials.
- 4 Nominated non-officials.

(The number of 4 would be reduced to 3 if the increase of one to the total strength is not for some reason allowed.)

22. Elected—

- 2 Bombay.
- 2 Madras.
- 2 Bengal.
- 2 United Provinces.
- 2 Punjab
- 2 Behar and Orissa.
- 2 Central Provinces and Berar.
- 1 Assam.
- 1 Burmah.
- 2 Muhammedans, special electorate.
- 2 Landlords, special electorate.
- 2 Chambers of Commerce.

Total 52

In framing the above scheme, I have taken into account the considerations mentioned in paragraph 199 of the Report.

7. I have made the above proposals believing that the terms of reference on the matter of the Council of State do not admit of relaxation in regard to its strength or constitution. If it happens that this be not so, I would humbly suggest that the main principles in constituting this body should be that all provinces should be equally represented, and the number of the elected members should be equal to that of the nominated officials and non-officials put together, and the voice of the Governor-General alone being the one capable of turning the scale in the unlikely event of all the elected voting one way and all the nominated officials and non-officials voting the other way. This would give the bare and yet decisive majority to Government, which is desired, and would be a compliance with the recommendations of Indian National Congress and the Committee of the Non-official Members of the Indian Legislative Council. The constitution, then, of the Council will be very simple. Government would nominate twenty-five including officials and non-officials: the provinces, as enumerated above, are nine, and they will, without the arbitrary and invidious distinction of major and minor, send two elected members each to the Council in the manner already indicated, and the special constituency of Muhammedans, landlords and Chambers of Commerce will elect two each making up the number of 24, and the remaining one member would be given to all the Universities in British India put together and made into a constituency. The arrangement would be simple and easy to work.

Memorandum by the Hon'ble Rai Bahadur B. D. Shukul, on the Reforms Scheme to be placed before the Committee on Franchise.

The Council should consist of 100 members on the basis of one member for every $1\frac{1}{2}$ lakhs. The population of the Central Provinces British districts and Berar stood at 14,000,000 (in round figures) in 1911 when the last census was taken, and it would not be unreasonable to estimate an increase of ten lakhs during the last seven years, in view of the fact that the population of the Province rose from 11,971,452 in 1901 to 13,916,308 in 1911—an increase of 1,944,856. Hence for the purpose of fixing the number of seats in the Legislative Council, I have taken the present population of the Provinces to be at 15,000,000, and on the basis of one member for $1\frac{1}{2}$ lakhs, I suggest that the total strength of the Council should be of 100 members, including Berar, of course. I am not in favour of the separation of Berar from the Central Provinces. Responsible government under the Montagu-Chelmsford Scheme would be a costly affair, and I do not think a province smaller in size than its present area could afford to bear the increased cost of administration under the Reforms Scheme. I would rather go to the extent of suggesting that the Jhansi Division should be separated from the United Provinces and added on to the Central Provinces.

2. Out of the total number of 100, there should be 20 nominated members, of whom 10 should be officials and 10 non-officials. The latter should provide for the representation of minorities. I am not in favour of communal representation, as that would tend to encourage and perpetuate dissensions amongst the various communities. Besides, in these Provinces there is hardly any demand for separate representation on behalf of any community in the minority. The number of Sikhs, Zoroastrians, Aryans, Jews, Brahmins and Budhists is not of sufficient political importance in these Provinces. This number is as noted below:—

Sikhs	...	...	...	2,337
Zoroastrians	...	...	...	1,757
Aryans	...	...	...	974
Brahmins	...	...	...	32
Budhists	...	...	...	9

As for Jains, their interests are so identical with those of the Hindus that they hardly need separate representation for the protection of their interests. As regards Muhammedans, their total number is 585,029, bearing a proportion of 1 to 27 to the total population. If they are given a separate representation for themselves, which I would not grudge, they would not be entitled to more than four seats. However, to simplify the formation of electorates, I would suggest five seats, one for each Division, which should form a separate Muhammedan electorate by itself. This will give one man for more than 1 Lakh. The remaining class of animists, although numerically strong (2,490,551), still forms the most backward class, both numerically as well as economically, and no useful purpose would be served by granting separate representation to them.

3. As for class interests, the only class deserving of special consideration is that of landholders. In this connection, I have only to quote the following from the Note I have already submitted to the Local Government on the Reforms Scheme.

“The case of this class (landholders) stands on quite a different footing from that of the other communities. If I urge for their separate representation, it is not from any communal consideration, but because of the responsible position they hold in the country whether in time of peace or war; it is they to whom the Government look up for substantive help on occasions of emergency. They have already given abundant proofs of their generous liberality at the time of famine and genuine loyalty at the time of war, which has already

received recognition in the official records. We are grateful to the Secretary of State and the Viceroy for laying down as their aim, which, to use their own words, must be to call many more of them into the political list (paragraph 147). It is true they command both means and position, but it will yet take some time before they can reconcile their conception of social dignity with the prestige of the Ballot Box; and until that time has come they must have special electorates to safeguard their interests. I am glad to find an assurance in the Report that we must give them a special measure of representation if they need it at the outset. So far as the Central Provinces are concerned, the landholders and zamindars form a very important class, and a special measure of representation must be provided for them with a view to ensure their adequate representation. The landholders do not base their claims for special representation on any considerations of prestige, but urge it as a means of self-defence. Their position is gradually being weakened, to which testimony is borne in the official reports. In the Central Provinces Administration Report of 1914-15 it is stated in paragraph 45 that the landlords have been compelled to adopt an attitude of self-defence against the advance of a tenantry no longer completely ignorant of its rights or backward in insisting on them." For these reasons I would suggest that each division should form a separate landholders' electorate by itself and return one member to the Council. Thus there will be five seats reserved for landholders.

4. I would, of course, add one proviso to the effect that candidates enjoying the privilege of special electorates should be given the option of competing either for the seat reserved for the special electorate or for the general electorate. They should not be allowed to compete for both simultaneously.

5. Next I would deal with the distribution of seats for general electorates, which will be formed on a territorial basis. This is indeed a very complicated question. The illustrious authors of the Report are fully alive to the various difficulties pertaining thereto. They rightly observe that "we cannot turn to the census tables and tabulate according to wealth or literacy or occupation the number of people who might reasonably be given the franchise. The immense masses of the people are poor, ignorant and helpless far beyond the standard of Europe." The real object of "securing as broad a franchise and as representative a council as possible" can hardly be secured unless and until a scheme is devised to ensure adequate representation of the agricultural classes. Agriculture occupies the larger percentage of population, being 75.5 per cent of the total as against industries, 10.2, commerce, 5.1, professions, 1.5, and others, 7.7. That being so, the franchise should be extended to them in such a manner as to include as large a number of them as possible under the present circumstances. The general ignorance and poverty of the masses should not be a bar to such an extension. The distinguished authors of the Report had already this point in view when they enunciated the principle that "it should be determined rather with reference to practical difficulties than to any *a priori* considerations as to the degree of education or amount of income which may be held to constitute a qualification." This is a principle which has to be constantly borne in mind, while coming to a definite conclusion on this point. I therefore propose to do away with the qualifications of literacy and fix the property limit to a very low figure, as I shall show later on. The number of literates returned at the census of 1911 was 521,887 or 33 per mille. The proportion varies from division to division and district to district, *e. g.*, the Nerbudda Valley shows the highest proportion, *viz.*, 54 per mille, the Marhatta Plain, 39, the Plateau, 25 and the Chhattisgarh Plain, 18 only. If we insist upon having "literacy" as a necessary qualification of a voter, we shall be excluding 82 per cent of the population in the Chhattisgarh Plain, which is hardly the intention of the framers of the Scheme. Even in England literacy is not a necessary qualification, and we might very well dispense with it in order to secure a sufficiently large number of agriculturist voters.

6. Now to return to the allocation of seats, it will be seen that out of the total number of 100 members I have already allotted 20 seats for nominated members,

five for Muhammedans and five for landholders, and there remain 70 seats available for final disposal. I would like to have rural and urban population represented separately. Then only the Council can be said to be sufficiently representative. Out of the total population of 16,030,310, nearly 90 per cent live in rural areas, *vis.*, 14,820,261, and 1,213,049 belong to urban. The proportion which the latter bears to the former is 12 to 88, and accordingly I would allot eight seats for urban and 62 for rural areas. I am very particular that the residents of urban and rural areas should be represented by representatives having intimate knowledge of their respective needs and grievances and of problems affecting their daily lives. There are not many towns in this province deserving of a separate treatment. Most of them are small towns of a character more rural than urban, and to such I do not propose to give a separate representation. With regard to them it is stated in the Central Provinces Administration Report of 1911-12 that "of the towns with less than 20,000 inhabitants (109), by far the larger number (86) belong to the class of small township with a nominal population between 5,000 and 10,000." There are eight towns only having population of 20,000 or more, and to them I allow one member each—

Nagpur	...	...	101,415
Jubbulpore	...	...	100,651
Saugor	...	...	45,908
Raipur	...	...	35,335
Amraoti	...	...	34,270
Akola	...	...	25,826
Burhanpur	...	...	22,777
Khandwa	...	...	21,604

Having disposed of eight seats, my scheme leaves 62 for distribution in rural areas. The population of Berar being 30 lakhs—just one-fifth of the total population—I allot 12 for Berar and remaining 50 for the Central Provinces.

Every tahsil should form a unit by itself except in cases where the tahsil is either too small and is educationally most backward or is mostly inhabited by aboriginal tribes whose standard of living is too low. I prefer a tahsil unit to a district unit for reasons given in paragraph 326 of the Report, *vis.*, that "it is essential to take due account of the problems involved in the maintenance of the electoral roll, the attendance of voters at a polling centre, the danger of impersonation and the subsequent adjudication of election petitions." As for adjustment of seats to definite areas, I must confess my inability to submit a cut and dry scheme, for lack of necessary materials, which I could not collect within the short time at my disposal. However, I would indicate the lines on which I wish the distribution of seats should take place. As a general rule each tahsil or taluq should form a separate unit by itself. But there are only 50 seats available for the Central Provinces and 12 for Berar, whereas there are 56 tahsils in the former and 22 in Berar. As stated above, some of the tahsils are unimportant and sparsely populated, and a more convenient group of such tahsils will have to be formed. I would further lay down that for every tahsil having a population of one lakh or more than that, there should be one member. Out of 56 tahsils in the Central Provinces the following have less than one lakh:—

Banda	...	...	81,835
Patan	...	...	97,467
Seoni-Malwa	...	...	64,877
Harsud	...	...	78,000
Bhainsdehi	...	...	88,368
Garchiroli	...	...	97,705
Sironcha	...	...	32,353
Baihar	...	...	95,783

These can be grouped with other important and convenient tahsils. Similar arrangements may be made in Berar. Being more densely populated, the standard of population should be higher, say 125,000 or so for each. The final adjustment of seats, in my opinion, should rest with a committee which should be formed consisting of officials and non-officials of the Province to consider the question with due regard to special conditions of each district. At present it would be quite enough to recognize the principle.

7. The following will be the constitution of the Council according to my scheme :—

Total number ... 100.																													
<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Nominated</td> <td style="width: 50%; text-align: right;">... 20</td> </tr> <tr> <td> Officials</td> <td style="text-align: right;">... 10</td> </tr> <tr> <td> Non-officials</td> <td style="text-align: right;">... 10</td> </tr> </table>	Nominated	... 20	Officials	... 10	Non-officials	... 10	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50%;">Elected</td> <td style="width: 50%; text-align: right;">... 80</td> </tr> <tr> <td> Central Provinces—</td> <td style="text-align: right;">... 64</td> </tr> <tr> <td> Towns</td> <td style="text-align: right;">... 6</td> </tr> <tr> <td> Landholders</td> <td style="text-align: right;">... 4</td> </tr> <tr> <td> Muhammedans</td> <td style="text-align: right;">... 4</td> </tr> <tr> <td> Rural</td> <td style="text-align: right;">... 50</td> </tr> <tr> <td> Berar—</td> <td style="text-align: right;">... 16</td> </tr> <tr> <td> Towns</td> <td style="text-align: right;">... 2</td> </tr> <tr> <td> Landholders</td> <td style="text-align: right;">... 1</td> </tr> <tr> <td> Muhammedans</td> <td style="text-align: right;">... 1</td> </tr> <tr> <td> Rural</td> <td style="text-align: right;">... 12</td> </tr> </table>	Elected	... 80	Central Provinces—	... 64	Towns	... 6	Landholders	... 4	Muhammedans	... 4	Rural	... 50	Berar—	... 16	Towns	... 2	Landholders	... 1	Muhammedans	... 1	Rural	... 12
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I prefer "one-member district" system, as Mr. Gladstone while speaking of the system observed, "The recommendations of this system are, I think, that it is very economical and it is very simple, and it goes very long towards what is simply termed the representations of minorities."

Disqualifications.

- (1) Persons of unsound mind and idiots.
- (2) Persons below 22 years of age.
- (3) Females.
- (4) Government servants.
- (5) Habitual criminals.
- (6) Professional beggars or persons earning livelihood by immoral occupation.
- (7) Persons belonging to criminal tribes.
- (8) Aliens.

Qualifications.

In considering the question of qualifications also I experience the same difficulty. Conditions prevailing in different areas vary from one another, and it will not do to lay down a uniform standard which could be applicable to all areas alike. However, I may suggest the following minimum qualifications :—

- (1) Malguzars paying land revenue to the extent of Rs. 50 and above.
- (2) Tenants other than sub-tenants paying rent to the extent of Rs. 25 and above.
- (3) Literate persons having incomes of Rs. 200 and over.
- (4) Persons having an annual income of Rs. 300 derived from sources other than that of agriculture.
- (5) Registered associations by their secretaries.
- (6) A person must either reside, or own immoveable property or carry on business in the electoral division during six months of the qualifying year. This is necessary in order that a voter may have some knowledge of the country and its needs and grievances and also something about the candidate also, before he tenders his vote. Residential qualification is required in Canada and New Zealand and other countries and is most essential.

In the case of seats reserved for urban areas, the qualifications for voters should be the same as necessary in Municipal elections.

Disqualifications of Candidates.

- (1) Same as that of a voter.
- (2) A bankrupt.

- (3) One who is found guilty of corrupt practice at the time of election. He should for ever be disqualified from sitting for the place at which his offence was committed and for 7 years for sitting for any other place. If the corrupt practice was the unauthorized act of an agent employed for the general purpose of the election, the employer should be disqualified for 7 years for sitting for the place at which the offence was committed. This will check corrupt practices at the time of elections.

Qualifications of Candidates.

- (1) His name must be on the register of electoral roll at the time of the election.
- (2) He must be able to read and write the language in which the proceedings of the Council are conducted.

Indian Legislative Assembly.

8. The total strength of the Legislative Assembly should be based upon a definite proportion to the entire population of the country and not in an arbitrary manner. If we give one member to every two millions, then the total number of Indian members would come to about 120, which would, I think, be fair, and the composition should be as noted below. I approve of the idea of some special representation as suggested in paragraph 273 :—

Total number of members	...	...	120
Nominated	...	24	
Officials	...	12	
Non-officials	...	12	
Muhammadans (whole of India)	...	15	
Elected	...	81	
Bombay	...	12	
Bengal	...	12	
Madras	...	12	
United Provinces	...	10	
Punjab	...	9	
Behar and Orissa	...	9	
Central Provinces and Berar.	...	8	
Assam	...	4	
Burma	...	4	
Delhi	...	1	

Seats for landholders should be reserved out of the seats allotted for different provinces.

It seems rather difficult to suggest any scheme of direct election for the formation of "constitution of reasonable size on a territorial basis in which candidates will be able to get into direct touch with the electorates." I should therefore propose as follows :—

Three seats should be reserved for landholders for 3 separate electorates as mentioned below :—

- (1) Jubbulpore and Nerbudda Divisions combined.
- (2) Nagpur and Chhattisgarh Divisions combined.
- (3) Berar.

Special qualifications of electors will be as follows :—

- (1) Persons having a place of residence in the group concerned and holding land there in proprietary right.
- (2) Persons whose land is assessed to land revenue at not less than Rs. 1,000 per annum.

Four members to be elected by non-official members of Provincial Councils.

Council of State.

9. The Council of State to consist of 50 members, of whom 25 should be nominated and 25 elected. Six seats should be reserved for landholders. So far as these Provinces are concerned, we should have 2 members, one returned by the non-official members of the Provincial Legislative Council and one by a separate electorate of landholders constituted for the purpose, qualifications of a voter being as noted below :—

Special qualifications for the landholders' electorate shall be—

- (1) Persons having a place of residence in the Central Provinces and holding land in this Province in proprietary right
- (2) Persons whose land is assessed to land revenue at not less than Rs. 3,000 per annum.

Memorandum, dated the 24th November, 1918 by the Hon'ble Rai Sahib C. M. Thacker, Raipur, on the Reforms Scheme, to be placed before the Committee on Franchise.

In considering the composition of the Legislative Council proposed to be constituted under the New Reforms Scheme it is necessary to bear in mind certain broad principles before we come to the discussion of the details.

"We must in fact" say Mr. Montague and Lord Chelmsford in paragraph 225 of their Report "measure the number of persons who can in the different parts of the country be reasonably entrusted with the duties of Citizenship. We must ascertain what sort of franchise will be suited to local conditions, and how interests that may be unable to find adequate representation in such constituencies are to be represented." Proceeding further in paragraph 226 of the same Report they say "We consider in the first place the system of indirect election should be swept away. It is one main cause of the unreality that characterises the existing Councils, because it effectively prevents the representative from feeling that he stands in any genuine relation to the original voter. Secondly, we consider that the limitations of the franchise, which it is obviously desirable to make as broad as possible, should be determined rather with reference to practical difficulties than to any *a priori* consideration as to the degree of education or amount of income which may be held to constitute a qualification. It is possible that owing to unequal distribution of the population and wealth, it may be necessary to differentiate the qualifications for a vote, not merely between provinces, but between different parts of the same province. It is essential to take the account of the problems involved in the maintenance of an electorate roll, the attendance of voters at a polling centre, the danger of impersonation and the subsequent adjudication of electoral petitions. On these considerations, the strength of the official and non-official agency, which could be made available for electoral purposes throughout the country, has an important bearing, and warns us against *any such inordinate and sudden extension of the franchise* as might lead to a break-down of the machinery through sheer weight of numbers."

2. When the Central Provinces Local Government Act is amended, I believe that not only the Mukadams and the Mercantile classes will be entitled to vote but also a vast number of co-sharers, tenants and traders will be added to their number. When the Local Bodies are thus developed, by far the larger portion of the population than about 63,000 persons, who now vote for Local Board members, will have a vote on local questions. The political education of the ryot will thus gradually proceed from his understanding of local questions and by his thus discovering the means of protecting himself and his interests by the exercise of his vote. In the language of the authors of the Reform Scheme, by the lesson thus learnt in local affairs he will come to apply to the affairs of the Government and he will finally realise that if he is to deal effectively with *the more clever and better educated men who represent him in Councils*, he must acquire learning. The point that I am aiming at is that, to commence with, the local conditions of the provinces require that, though the franchise for the Legislative Council may not be broadened now as much as the franchise for the local bodies, it can be safely done in the near future, but it is essential to so devise it at present as to get into the Legislative Council the best men available in every district and that their election must depend upon an electorate more or less capable of some forming political judgment. As Mr. Curtis has remarked "The voters must be those who will in fact feel the effects of the votes given," but in my opinion it should be open to the Legislative Council to extend the franchise by legislation with the consent of the Government.

3. It is true that at times a person who cannot write his name is not less capable of forming a political judgment than the school master who imparts education to his son in the village school, but in order to give a stimulus to education I would make illiteracy a ground for disqualification for a candidate though not for a voter.

4. On examining the figures as regards the percentage of literate persons in each district in these provinces it will be found that the difference is not much. The percentage of school-going population under instruction is also more or less equal, but there is undoubtedly an unequal distribution of population and wealth. Under the circumstances the question that naturally arises is as to whether the distribution of seats in the Legislative Council, for each district, should be made with reference to population or wealth or both. I am personally of opinion that as the vast majority of population consists of poor agriculturists, it would not be safe in our provinces to distribute the seats in every district according to its wealth. Wealth alone should not, in my opinion, be the criterion for the composition of the Council. I would therefore allot seats to every district in proportion to its population.

5. I would constitute the Legislative Council for the Central Provinces and Berar of 100 members. Having regard to their area and population, the number is not too large for adequate representation, but to commence with this will be large enough. Of these 100 members I would set apart 21 for nomination of officials, non-officials and an expert by the Government. Of the remaining 79 I would allot 3 seats to Commerce and Industries, and though I am personally opposed to communal representation I would, according to the precedent set by the Government, give 7 seats to Muhammadans, although out of a total population—male and female—of about 13 millions, they number only about 6 lakhs, and although according to the principle of the percentage of population they should not be getting more than 3 seats. There remain then 69 seats which I propose should be distributed according to the male population of each division. I am conscious that the distribution suggested by me would be objected to by the Nagpur and Berar Divisions on the grounds of their wealth and superior public spirit. But it has, I think, to be borne in mind that Chhattisgarh has within it a number of Zamindaris which might, if they choose, claim a separate representation and a large number of small tenants spread over an extensive area whose interests require to be protected.

6. In order to provide for the representation of Graduates, Barristers and other persons holding University diplomas recognised by Government, I would, however, take away one seat from some unimportant district in each division of the Central Provinces and Berar and would thus give 14 seats to Nagpur Division, 12 to Jubbulpore Division, 9 to Nerbudda Division, 15 to Chhattisgarh Division and 14 to Berar for the representation of rural and urban areas.

7. The distribution of seats between the rural and urban areas in each district is a matter of considerable difficulty on the principle of the percentage of population. I am of opinion that as the residents of urban areas contribute largely to the intelligence, knowledge, advancement and success of all representative institutions, it is necessary that they should be adequately represented. I would go further and say that as these are the people who like graduates possess greater public spirit and political capacity, I do not see any harm in assigning to them some influence in the affairs of the State, because I know that people in the rural areas would be willing to acquiesce in their judgment, being conscious of the fact that they would act as a check on any class legislation. I would therefore suggest that income-tax payers of the Nagpur Division should have 3 seats assigned to them out of 14, those of Jubbulpore Division should have 2 seats out of 12, those of Nerbudda Division should have 2 seats out of 9 and those of Chhattisgarh Division should have also 2 seats out of 15. On this principle the income-tax payers of Berar would have 8 seats out of 15. I base the representation of the urban areas more or less on the figures of income-tax-payers supplied to the Legislative Council on the 7th March 1918. They work out one seat for about a thousand tax-payers. But if this franchise be considered to be too narrow for urban areas, I would include in the list of voters all those who contribute a certain minimum of taxes per annum towards the expenditure of Municipal Committees and would suggest the payment of Rs. 4 as the minimum. The polling centres for these elections would be at the head-quarters of Municipal Committees and, as the income-tax payers residing in rural areas are few, there ought not to be much difficulty in securing their attendance at the polling centres, unless they are included as voters in those areas.

8. In the statement supplied to the Legislative Council on the 7th of March last, the number of malguzars and tenants will be found classified according to the amount of revenue and rent paid respectively by them. I have allotted seats to the rural areas in every division as stated above in proportion to its population and, in order to make the percentage of representation equal in every district, I would fix different qualifications for each part of the province, whenever it is found necessary. This will give an equal chance to every district to advance in public spirit and political thought.

9. The question as regards what should be the minimum number of voters in each district for a seat, is a matter of practical difficulty and should be decided with reference thereto. The number of members of which the Legislative Council consists even when fixed at 100 is, as I said before, too small for the extensive areas of the districts to be adequately represented, though this is an additional consideration for not making the franchise as broad as I wish it to be. My personal idea is that there should not be more than 2,000 voters for each seat, but I do not wish to dogmatise.

10. The Appendix A annexed gives in a tabular form the manner in which the seats might be distributed. For the sake of convenience the statements furnished to the Council on the 17th March last are also hereto annexed as Appendix K and Appendix V.

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10. The Appendix A annexed gives in a tabular form the manner in which the seats might be distributed. For the sake of convenience the statements furnished to the Council on the 17th March last are also hereto annexed as Appendix K and Appendix V.

APPENDIX A.

District.	Male population.	Number of members recommended to represent in Legislative Council.				
		Tax-payers.	Agriculturists.	Graduates.	Muham-madans.	Commerce and Industry
1	2	3	4	5	6	7
Nagpur ...	408,843					
Wardha ...	231,871					
Bhandara ...	380,014	3	11	1		
Chanda ...	337,540					
Balaghat ...	190,469					
Total ...	1,548,737					
Jubbulpore ...	337,173					
Saugor ...	276,233					
Damoh ...	168,060	2	10	1		
Sooni ...	192,642					
Mandla ...	200,872					
Total ...	1,210,950					
Hoshangabad ...	230,632				7	3
Narsinghpur ...	161,795					
Nimar ...	200,765	2	7	1		
Betul ...	194,163					
Chhindwara ...	225,885					
Total ...	1,013,239					
Raipur ...	645,186					
Bilaspur ...	558,477	2	13	1		
Drug ...	373,159					
Total ...	1,876,822					
Amraoti ...	447,216					
Akola ...	400,893					
Yeotmal ...	365,326	8	6	1		
Buldana ...	337,179					
Total ...	1,550,614	17	47	5	7	

Total elected members ... 79
 " nominated members ... 21
 Grand Total ... 100

APPENDIX K.

[Referred to in answer to Question No. 101.]

Statement showing the number of Malguzars and Tenants classified according to the amount of Revenue and Rent paid respectively by them, and of income-tax payers.

District.	Malguzars and proprietors.			Tenants and ryots.			Income-tax payers.	Remarks.
	Paying Rs. 500 and above.	Paying Rs. 200 and above.	Paying Rs. 100 and above.	Paying Rs. 100 and over.	Paying Rs. 75 and over.	Paying Rs. 50 and over.		
1	2	3	4	5	6	7	8	9
<i>Nagpur Division.</i>								
Nagpur	1,192	1,542	2,103	1,916	3,700	7,979	1,574	
Wardha	615	888	1,408	1,126	2,016	4,220	656	
Chanda	298	437	706	73	157	534	495	
Bhandara	356	593	1,112	699	1,023	1,528	466	
Balaghat	390	487	616	274	448	859	235	
<i>Jubbulpore Division.</i>								
Jubbulpore	706	941	1,359	1,331	2,635	5,224	793	
Saugor	583	869	1,469	1,173	2,236	5,350	454	
Damoh	314	455	735	686	1,328	2,897	208	
Seoni	184	291	604	175	413	1,183	278	
Mandla	107	171	363	15	50	292	144	
<i>Nerbudda Division.</i>								
Hoshangabad	644	790	1,055	1,914	3,380	6,605	320	
Narsinghpur	432	560	820	1,113	1,974	4,198	247	
Nimar	398	669	1,194	509	1,023	2,589	639	
Betul	198	279	452	72	218	733	293	
Chhindwara	281	468	999	149	333	905	341	
<i>Chattisgarh Division.</i>								
Raipur	761	1,127	1,639	61	191	775	845	
Bilaspur	418	718	1,525	42	101	402	608	
Drug	594	915	1,558	102	285	998	291	
<i>Berar Division.</i>								
Amraoti	...	...	...	3,928	6,285	11,307	2,918	
...	...	...	...	3,491	5,588	10,050	2,009	
...	201	291	391	958	1,575	2,981	1,210	
Buldana	...	...	...	1,800	3,092	6,032	1,684	

APPENDIX V.

[Referred to in answer to Question No. 104 put at the Council Meeting held on 7th March 1918 by the Hon'ble Mr. S. B. Tambe.]

Statement showing the number of voters in each Municipality, District Council and Local Board in the Central Provinces and Berar.

Name of Municipality.	Number of electors.	Name of District Council Board	Number of electors.	Name of Local Board.	Number of electors.	Remarks.
Nagpur	4,741	Nagpur	74	Nagpur	703	
Ramtek	659			Ramtek	505	
Khasea (a)	...			Umrer	744	(a) Has a nominated Committee.
Kalmeshwar (a)	...			Katol	804	
Umrer	858			Saoner	579	
Mowar	305	Bhandara	44	Bhandara	840	
Saoner	156			Sakoli	515	
Bhandara	1,480			Chandia	394	
Tamsar	313	Chanda	81	Warora	749	
Tanni	214			Chanda	874	
Chanda	662			Brahmaruri	556	
Warora	300			Garchiroli	406	
Wardha	626			Chanda Zamindaris (b)	...	(b) There is no election.
Arvi	1,210	Wardha	76	Wardha	1,288	
Deoli	326			Arvi	1,104	
Hinganghat	846	Balaghat	25	Hinganghat	778	
Pulgaon	689			Balaghat	605	
Balaghat	568			Waraseoni	757	
Jubbulpore	1,548	Jubbulpore	84	Raihar	469	
Sehora	72			Jubbulpore	800	
Murawra	536			Fatan	624	
Saugor	2,275	Saugor	60	Murwara	463	
Dcoi	171			Sehora	917	
Khurai	166			Saugor	637	
Damoh	621			Khurai	679	
Seoni	943	Damoh	33	Rehli	1,014	
Mandla	854			Banda	387	
Hoshangabad	405	Seoni	40	Damoh	680	
Harda	1,383			Hatta	825	
Seoni-Malwa	359	Hoshangabad	51	Seoni	706	
Pachmarhi (a)	...			Lakhnadon	845	
Betul	618			Hoshangabad	478	
Chhindwara	1,038			Sohagpur	531	
Pandhurna	385	Betul	38	Seoni-Malwa	245	
Sausar	604			Harda	672	
Narsinghpur	453			Betul	511	
Gadarwara	268	Chhindwara	50	Bhulai	628	
Chhindwara (Chota)	163			Bhainsdehi	337	
Khandwa	2,562			Chhindwara	686	
Burhanpur	5,487			Amarwara	324	
Raipur	1,176	Narsinghpur	24	Sausar	493	
Bilaspur	1,977			Chhindwara Jagis (b)	...	
Drug (a)	...			Narsinghpur	425	
Dhamtari	231	Nimar	37	Gadarwara	278	
Amraoti Town	3,222			Khandwa	901	
Amraoti Camp (a)	...			Burhanpur	324	
Ellichpur City (a)	...			Harsad	507	
Ellichpur Civil Station (a)	...			Raipur	791	
Akola	2,715			Dhamtari	528	
Akot	1,104	Bilaspur	85	Raloda Bazar	818	
Karanja	622			Mahasamund	319	
Basm	1,605			Raipur Zamindaris	...	
Murtizapur	795			Bilaspur	1,177	
Buldana (a)	...			Mungeli	966	
Khamgaon	814	Drug	72	Janjgir	1,202	
Shegaon	920			Bilaspur Zamindaris	...	
Malkapur	819			Drug	505	
Yeotmal	807			Remetara	623	
		Amraoti	90	Sanjari	456	
				Drug (Northern Zamindaris)	...	
				Drug (Southern Zamindaris)	...	
				Amraoti	2,466	
				Chandur	2,079	
				Morsi	1,168	
				Ellichpur	1,870	
				Daryapur	1,426	
				Akola	2,060	
				Akot	1,150	
				Balapur	1,180	
				Basim	1,205	
				Mangrol	531	
				Murtizapur	1,174	
				Chikhli	755	
				Mehkar	1,044	
				Malkapur	1,639	
				Jalgaon	902	
				Khamgaon	1,576	
				Yeotmal	746	
				Darwaha	521	
				Parsad	266	
				Kelapur	280	
				Wun	614	
Total	51,703			Total	61,032	

(2)

**Memorandum submitted to the Franchise
Committee by Rao Sahib D. Laxminarayan,
KAMPTEE, C P.**

I am a landholder, Malguzar, elected member of the Nagpur District Council and Ramtek Local Board, proprietor of Manganese Mines, Tile and Brick-fields, Honorary Magistrate of Kamptee, incometax payer and employer of large number of labour.

I. I suggest the following qualifications for electors:—

- (a) All tenants paying a rent of Rs.10-0-0 or over per annum.
- (b) All Malguzars.
- (c) All incometax payers.
- (d) All educated classes (having the educational qualification of reading and writing any language).
- (e) All depressed and labour classes who earn wages of Rs. 8-0-0 and over per month.
- (f) All persons holding household property of the value of Rs. 50-0-0
- (g) All Municipal Committees, District Councils and Local Boards.
- (h) Graduates of any recognised University in the British Empire.
- (i) Commerce and Industries.
- (j) Europeans, Anglo-Indians and Christians.
- (k) Mohamedans.

II. The above constituencies from (a) to (f) shall form into one constituency for each revenue District and directly elect a certain number of members to the Provincial and Imperial Legislative Councils.

III. The four Divisions of the Central Provinces shall form into four electoral Districts for clause (g) above.

IV. The four Divisions shall form into four electoral Districts for clause (h) above.

V. The whole province shall form into one electoral District for clause (i) and (j) above.

VI. Revenue Districts shall be made electoral Districts for Mohamedans if possible otherwise Revenue Divisions may be so treated.

VII. I am opposed to any special or communal electorates except what I have stated above.

VIII. I suggest that ten officials shall be nominated to the Provincial Legislative Councils and five non-official members to represent the minorities if any.

IX. The distinction between the regulated and non-regulated or Major and Minor Provinces should be abolished.

X. The Provincial Council for the first two elections should consist of 75 Members of which four-fifths shall be elected and one-fifth shall be nominated. After the first two elections the number may be raised equal to that of Major Provinces.

XI. The representatives of the electoral Districts - to be constituted as follows:—

1. Nagpur	6
2. Wardha	2
3. Chanda	1
4. Bhandara	2
5. Balaghat	1
6. Jabalpur	3
7. Sangor	2
8. Damoh	1
9. Mandla	1
10. Seoni	1
11. Hosangabad	2
12. Narsinghpur	1
13. Chhindwara	2
14. Betul	1
15. Nimar	2
16. Raipur	3
17. Bilaspur	2
18. Drug	1
19. Nagpur Municipality	1
20. Jabalpur Municipality	1
21. Four Divisional Municipalities one each	4
22. Four Divisional District Councils one each	4
23. Four Divisional Graduates one each	4
24. Commerce and Industries	1
25. Europeans, Anglo-Indian and Christians	1
26. Mohammedans	9
27. One expert to be nominated by the Council	1
Total	69

XII. All elections should be made on the basis of one man one vote, provision being made for as many polling stations as possible so that it may be within the reach of poor and rich alike. Literacy should for the present be waived till illiteracy is banished from the province. The election shall be made by ballot which is recognised in every civilized country. This will avoid lot of evils.

XIII. I propose the same franchise for the Imperial Legislative Assembly as suggested for the Provincial Legislative Council. This election must be made directly by the above electors. I am totally averse to the indirect election as that system creates many evils. The Imperial Legislative Assembly shall consist for the present one hundred and fifty members of which four-fifths shall be elected and one fifth shall be nominated.

XIV. At least half the members of the Council of State shall be elected jointly by the Imperial Legislative Assembly and Provincial Legislative Councils and the other half shall be nominated by the Government from amongst the officials and non-officials.

Dated KAMPTEE,
the 11th November 1918.

D. LAXMINARAYAN.

SUPPLEMENTARY MEMORANDUM SUBMITTED TO THE FRANCHISE COMMITTEE

by Rao Sahib D. Laxminarayan of Kamtee, C. P.

I. If the strength of the Imperial Legislative Assembly is fixed at 150, the Central Provinces shall be allotted not less than twelve members to be elected as follows:--

- 2 Members by the Landholders by direct election.
- 2 Members by the Incometax payers by direct election.
- 1 Member by the Graduates by direct election.
- 1 Member by the Mohamedans by direct election.
- 1 Member by the Commerce and Industry by direct election.
- 1 Member by the Nagpur University.
- 1 Member to be elected by the Provincial Council.
- 1 Member by the Municipalities.
- 1 Member by the District Councils.
- 1 Member by the registered voters of the City of Nagpur being the Metropolis of the Province.

Total 12

II. The Central Provinces shall at least be allotted two members to be elected to the Council of State.

III. It would not be out of place for me to mention here one more salient fact regarding the Cantonment of Kamptee. A Municipality was established in this town in the year 1865 and it continued to be so till the year 1888. But unfortunately it was abolished in the year 1888 by Sir Alexander Mackenji, the then Chief Commissioner of this Province. Since then the people of this town have been disfranchised. The population of this town is about twenty thousand. The annual income of this town is over a lakh of rupees which consist mostly of the taxes recovered from the Civil population of the town. The first principles of the representative and responsible Government are no taxation without representation. When the whole country has been enfranchised, is it not unreasonable that the people of Kamptee should be still kept in bondage in these democratic days? If the franchise is granted to the civil population of Kamtee, it is most essential that its foundation should be laid broad and firm. That foundation is the establishment of a Municipality for the Civil population of Kamptee. The Cantonment proper shall be separated by the Baghdora Nala where the Cantonment Codemay still be kept in force. Municipality is the national atheneum of political and popular education. The late Sir William Hunter, said in a speech on Indian finance at Berningham in December 1879:--

" I do not believe that a people numbering one sixth of the whole inhabitants of this globe and whose aspirations have been nourished from their earliest youth on the strong food of English liberty can be permanently denied a voice in the Government of their country. I do not believe that races among whom we raise a gross revenue of sixty millions sterling and into whom we have instilled the maxim of no taxation without representation as the fundamental right of a people can be permanently excluded from a share in the management of their finances. The children whom we have trained in these ideas are now the grown-up men with whom the Indian administration has to deal. We have planted the tree of political aspirations in India; the tree has very nearly reached the roof. Unless you give play to its growth, the day will come when either its top will burst through the roof or you will have to cut down with sharp steel the fair tree which your own hands have planted. Gentlemen I say, while there is still time, take off the roof".

IV. It is on these principles that we, the residents of Kamptee, claim for the establishment of a Municipality which would strengthen the franchise. I would therefore suggest that a Municipality shall be established at Kamptee for the civil population who pay most of the taxes. The civil population of Kamptee shall be conceded a similar franchise as the other population of this province to take part in the election of members to the Provincial Legislative Council and the Imperial Legislative Assembly. The franchise Committee shall give a sympathetic consideration to their long standing grievance and remove the badge of helotry hanging over their heads.

*Dated KAMPTEE, }
the 13th November 1918. }*

D. LAXMINARAYAN.

Memorandum by Rao Bahadur K. G. Damle of Akola on the Reforms Scheme to the placed before the Committee on Franchise.

The terms of reference to this Committee, as published in the Extraordinary issue of the *Central Provinces Gazette*, dated the 29th October 1918, call for suggestions which are calculated to carry out the recommendations made in the Report on Constitutional Reforms as drawn up by the Secretary of State and the Viceroy, in regard to the composition and size of the Provincial Councils, the Indian Legislative Assembly and the Council of State.

2. In response to the invitation made to put in individual suggestions, I beg to submit my personal views and suggest a scheme as I conceive it, endeavouring, wherever possible, to support my remarks with a statement of reasons.

3. The authors of the Report have very appropriately stated in paragraph 262 of their Report that they regard the development of a broad franchise as the arch on which the edifice of self-government must be raised, and in paragraph 263 they have shown how, for the progressive attainment of complete self-government, it is imperatively necessary that the sense of responsibility requires to be gradually developed both in the electorates and in their representatives. The defective character of the present electorates, the general non-realization of the value of the proper use of a vote, the peculiar local difficulties lying in the way of educating electorates, and the supreme illiteracy of the masses all over India, are recognised as among the serious impediments to a rapid growth of political progress in India, and they have to be overcome slowly, surely, and in the best effective way possible. To attain this object, it is proposed to make the franchise of voting as broad as local conditions can allow, and thereby to secure, to the successful candidate, a real representative character. To create and develop a living sense of responsibility the representation requires to be as closely direct as possible. A representation resting on a broad base will become real and substantial only when it carries with it as full a measure of responsibility as is possible. The wider and more distantly scattered is the area of an electorate, the remoter are the chances of acquaintance of a candidate with his voters and the fainter is the feeling of responsibility induced in him towards his voters. To broaden the franchise is to enlarge an electorate by increasing the number of voters contained in it to the maximum limit possible. This means, in other words, that the standard of qualifications for a voter requires to be reduced to a convenient minimum. By making a constituency as compact as it can conveniently be made, and increasing the number of voters in it to an adequate extent, it is possible to obtain a broad franchise, and at the same time to secure a true representative at the Council in the proper sense of the term. As the interests for which electorates have to be formed vary with different areas, the sizes of electorates must necessarily vary for different areas. In other words, in respect of certain interests more than one constituency will have to combine to form one electorate.

4. I now propose to set out my scheme for the Provincial Legislative Council so far as the Central Provinces and Berar are concerned. I do not venture to suggest a scheme which may fit in with the requirements of other provinces or presidencies as I do not profess to possess the necessary knowledge of their local conditions and requirements. I can speak of and for the Central Provinces and Berar with some amount of confidence as I am a resident thereof and have direct means of knowing their condition and requirements. My scheme, therefore, will necessarily have to be understood as meant for the Central Provinces and Berar, but the principles on which the scheme is based may apply to other provinces and presidencies if local conditions coincide.

5. First, I shall turn my attention to the formation of electorates. Who should vote or to whom the right of voting should be given is a question which requires to be answered. Universal suffrage is out of question until the mass-illiteracy is removed and a true awakening of a patriotic feeling takes place all over India. The Central Provinces and Berar are to a large extent agricultural tracts where landed interests must therefore predominate. Among them are included owners or proprietors of lands or estates, jagirdars, izardars, inamdars, palampatdars and substantial tenants. Next to this comes

the class of persons who follow a variety of professions, carry on trade and commerce, or follow various forms of industrial pursuits. These persons, numerically small in proportion, form an important, active and intelligent section of the population of these two provinces. These persons contribute to the wealth and prosperity of these provinces to such a considerable extent that their claims for representation cannot be denied. In fact the progress of a country can be measured by the proportion which it contains of this class.

6. Since a long time self-governing institutions such as District Boards and Municipalities have come into existence in these provinces and very many private individuals have devoted wholeheartedly their time, labour and intelligence to the steady and orderly progress of these institutions. In the administration of these two institutions which are the only available training schools where practical lessons of public duty can possibly be learnt by those who are inclined to look beyond self and work for others, the people of the provinces have evinced real and substantial interest, and they have acquired a training which is of great practical value. Apart from the shortcomings which the outside critic is invariably disposed to attribute to their working, it may be safely stated as a general proposition that these local bodies have been uniformly doing immense public service for very many years and their utility has been universally acknowledged. In fact, as valuable educative factors in the State administration, their position and importance cannot be overlooked. They are becoming more and more popular, and the more intelligent classes are taking lively interest in their management. They are in fact the seedbeds of public spirit, co-operation and a habit of corporate living. In view of their long established position as public institutions of great utility, these local bodies have acquired a legitimate claim for voice in the administration of a province.

7. The same has with greater force to be said with respect to District Boards though, of course, for obvious reasons, these bodies cannot contain a strong proportion of intelligent members. Both these bodies perform identical public functions—one being intended for urban while the other is meant for rural areas. The claim of the District Boards for representation, therefore, stands practically on much the same grounds as those on which the Municipalities can assert their right.

8. With the spread of education in these Provinces and the steadily increasing educated element in government as well as private services the educated class does, as such, assert its claim for recognition as a powerful factor in shaping the tone and character of the population. These Provinces have not so far been endowed with a University of their own, yet the number of graduates residing in these Provinces is sufficiently large to claim representation.

9. Lastly, out of sheer necessity to conform to the recommendations made in this behalf as contained in the Report, I am obliged to admit the Muhammadans to a separate electorate of their own. So far as these Provinces are concerned, the Muhammadans are numerically in such a great minority that it is idle to speak of a separate electorate for them, much less to create one for them. Had it not been for the special treatment meted out to them for particular reasons as stated in the Report, there would hardly have been an occasion for creating and supporting an electorate for Muhammadans in these Provinces. They form not more than four per centum of the total population of the Provinces.

10. I have so far indicated the different electorates which need be formed so far as these Provinces are concerned. Having formed them I have next to assign the number of seats to each of them. In determining this number, I have taken into account—

- (1) the proportion of population affected by each electorate;
- (2) the relative value of each electorate;
- (3) the necessity of adopting some arbitrary but at the same time convenient unit of population for purposes of representation;

- (4) the necessity of getting the smallest but convenient existing territorial division as a distributive unit for purposes of allocating seats; and
- (5) the necessity of confining the number of seats to an irreducible minimum to avoid unnecessary enlargement of the Council and the consequent inevitable waste of public money without prejudicing the interests to be represented.

11. In assigning seats and fixing constituencies for landed interests, care is taken to ensure that the representation is as much direct and real as it can possibly be under the present circumstances. In other words, each district except Mandla is afforded an opportunity to send up its representative from the electorate of land-holders.

12. In the light of the above observations, so far as the landholders are concerned, I am disposed to assign one member to each district except Mandla, which is a hilly tract full of forests and abounding in aboriginal tribes. This would give 21 members to represent landholders in the Central Provinces and Berar together.

13. One is tempted to assign more or less seats to different districts according as they contain more or less population and more or less revenue-yielding lands. But so long as the interests to be watched and served are all common to all the districts the volume of revenue or the size of population is an irrelevant factor which, I think, can safely be left out of consideration. The number of persons following professions, etc., is comparatively small, and four seats would, in my opinion, be ample for both the Provinces to represent these interests. Two for the Central Provinces and two for Berar would do.

14. As regards Municipalities, the Jubbulpore and Nagpur Municipalities contain each a population of over one lakh and the income thereof is also measured in lakhs. They are the two big and prosperous cities in the Provinces, and as such, they are already enjoying a concession, *vis.*, each of them sends out one representative to the Council. I would retain this concession. Excepting these two big Municipalities, all others should continue and send up one representative for each Division within which they are situated. The Municipalities would thus return seven members.

15. All the District Councils or District Boards should combine in their Division to elect one member for each Division. The District Boards would thus return 5 members. I am conscious that by allowing Municipalities and the District Boards to elect representatives, I am encouraging indirect representation. But despite this knowledge I have studiously recommended that these local institutions of long standing should be allowed to enjoy this privilege for reasons already stated above. It is these institutions which can furnish competent, intelligent and patriotic advocates of public rights. It is in these institutions that persons can be found willing to sacrifice their time and private interests in the sole desire to promote public good. For a long time to come, it will not be advisable, in my opinion, to deprive these local bodies of their existing right to send up their representatives to the Council. Instead of losing any thing, the public would be gaining much by the retention or extension, as the case may eventually turn out, of this privilege.

16. As already remarked, the Muhammadan population in the whole of the Central Provinces and Berar forms only four per centum of the total population of the two Provinces. Strictly speaking, therefore, their electorate, if one be formed for the whole of the Central Provinces and Berar, would not be entitled to more than one member at the most. But to put the widely scattered Muhammadans of 22 districts numbering nearly 4 lakhs into one electorate and to expect them to vote for one candidate is practically to deny them real and direct representation. Though quite disproportionate to their number they have to be given three seats—one for Jubbulpore and Nerbudda Divisions, another for Nagpur and Chhattisgarh Divisions and a third for Berar. The Muhammadans would thus get three members to be returned as above mentioned.

17. Lastly as there is no University yet established for the Provinces, the graduates in the Central Provinces and Berar would elect two members—Berar electing one and the Central Provinces the other. When the University comes into existence, I would assign it one member and one member to the graduates in both the Provinces together. The different electorates with the number of seats allotted to them would thus stand as under :—

(1) Landholders	... 21—	One member to be returned by each district of a Division except Mandla in the Jubbulpore Division.
(2) Persons following professions, carrying on trade or commerce, etc.	4—	1 to be returned by Jubbulpore and Nerbudda Divisions together. 1 by Nagpur and Chhattisgarh. 1 East Berar. 1 West Berar.
(3) Municipalities	... 7—	1 Jubbulpore. 1 Nagpur. 5 by the five Divisions each sending one to represent all the remaining Municipalities grouped together.
(4) District Boards	... 5—	Each Division sending up one.
(5) Muhammadans	... 3—	1 Jubbulpore and Nerbudda Divisions. 1 Nagpur and Chhattisgarh. 1 Berar.
(6) Graduates	... 2—	1 Central Provinces. 1 Berar.
Total	... <u>42</u>	

18. I have thus arrived at the figure of 42 elected seats in the Provincial Legislative Council to represent the six different electorates. In justice and fairness each electorate should be exclusive, but so far as the Central Provinces and Berar are concerned I do not propose to make these electorates exclusive in the sense that no member of one electorate should vote for another, although a voter may happen to belong to more than one electorate. I am inclined to concede so far, because the number of voters in each of the two electorates, *viz.*, professionals and Muhammadans, as compared with the number of voters in the electorate of landholders is so disproportionately small that it makes little difference whether the voters in these two electorates, who may happen to be voters in the electorate of landholders, vote or do not vote in this big electorate. In other words, taking the present conditions into consideration the two other electorates can make no impression on the big electorate of landholders one way or the other.

19. The case of Municipalities and District Boards stands on a different footing. I propose to admit them to the privilege of a separate electorate on the ground that they are the corporate bodies brought into existence for the good of the people. The voters will only be those who happen to be members of the respective municipality as appearing in the voters' list prepared for the Council election concerned. I do not propose to extend the right of voting to the voters of municipal commissioners in municipal areas. These voters possess very poor qualifications as compared with those which are required of voters in the other three electorates. The municipal members are supposed to have attained a higher status by the mere fact that they are elected by a majority of the people in an urban area.

20. In the case of landholders, I would restrict the right of voting to persons who own, as proprietors, jagirdars, izardars, or inamdars, or palampatdars, land which is assessed to land revenue would pay Rs. 100 or who,

as ordinary or permanent tenants, cultivate land of the same description. In the Central Provinces I would apply the same qualifications to malguzars and tenants.

21. In the case of persons following professions, industrial pursuits or carrying on trade or commerce, I would take the capacity of the voter to pay income-tax as the basis for determining his qualifications. Whoever pays an income-tax on an income of Rs. 2,000 and upwards is entitled to vote.

22. The Governor and the two members of the Executive Council are *ex-officio* members. I would add five seats for nomination from among the officials and four from among non-officials. Thus, the Governor will have nine members to nominate. According to me, therefore, the Provincial Legislative Council will consist of 54 members inclusive of the Governor.

23. Subject to the qualifications set forth above, in the case of voters, the rules in force in the Central Provinces and Berar for the election of Council members as set forth in the Council Manual have my full support.

24. The above considerations dispose of the questions relating to the Provincial Legislative Council.

25. I now turn my attention to the questions bearing on the Indian Legislative Council.

With a view to see if any feasible system for representation in the Imperial Legislative Assembly by direct election could be suggested, I imagined and considered the following three alternatives :—

- (1) To keep the same electorate for both the Provincial and Imperial Legislative Bodies, to distribute the seats in the Imperial Legislative Assembly among the several electorates in specified proportions and to hold elections for both the bodies simultaneously, the same electorate electing the requisite additional number of members expressly for the Imperial Legislative Assembly.
- (2) To form altogether separate electorates for the Imperial Legislative Assembly with separate qualifications for voters and candidates.
- (3) To make the elected members of the Provincial Legislative Council elect to the Imperial Legislative Assembly from among them—the vacancies so created from the Provincial Legislative Council being filled up by fresh election by the respective electorates and constituencies which sent up the outgoing members to the Provincial Legislative Council.

26. Each of these alternatives has its own weak points. The first alternative which looks very attractive in form and principle would require that the number of seats must be the same as that of the electorates or any multiple of the same. If, in the Provincial Legislative Council, the different electorates send up their respective representatives in different proportions, there is much more reason, therefore, to maintain the same different proportions in the election of the members to the seats in the Imperial Legislative Council. If this difference in proportions is once admitted, it is difficult consistently to work out a practical scheme. If, to stick to the minimum number of seats according to the numbers of electorates, the territorial area of an electorate is enlarged by the combination of the two Provinces, the system loses the charm of close and direct representation. A voter in any one electorate from the remotest corner of Mehkar taluk can hardly be expected to know anything of a candidate coming from the farthest end of Jubbulpore or Saugor district. Election of this type can hardly be called direct.

27. Another grave injustice is perpetuated in this alternative. For the Provincial Legislative Council a population in the minority gets a small number

of seats in proportion to its ratio to the total population, whereas when its competency to send up a representative to a higher council comes under consideration, it is given a right equal in strength to that which a disproportionately big population is made to enjoy.

28. As regards the second alternative, to suggest independent electorates for the Indian Legislative Assembly the task is highly complicated and elaborate. Apart from the great labour involved in the attempt it cannot promise a satisfactory solution of the problem.

29. As a matter of necessity, therefore, I feel constrained, for the present, to recommend the third alternative, *viz.*, that the elected members of the Provincial Legislative Council should elect from among themselves the requisite number of members for the Imperial Legislative Assembly.

30. The Report recommends that there should be five members for the whole of the Central Provinces and Berar, whereas I would raise that figure to six—four for the Central Provinces and two for Berar, so that the East and West Divisions of Berar each would get one elected member. This disposes of the questions relating to the Indian Legislative Assembly. As regards the Muhammadan electorate I forgot to suggest the qualifications of a voter. I would keep the same qualifications for them as for the other communities, *viz.*, that each voter should own, or cultivate as tenant, land which, if assessed to land revenue, would pay rupees one hundred.

31. As regards the Council of State I would suggest two members instead of one to be returned by the Provincial Legislative Council in the Central Provinces and Berar. The Berar members electing one and the Central Provinces electing the other. The vacancies so created may be filled in by the electorates and constituencies which the outgoing members represented in the Provincial Legislative Council.

32. As there is no Chamber of Commerce for the Central Provinces and Berar, the four members in the Provincial Legislative Council who represent the electorate for professions of trade and commerce should vote for the two seats along with the Chambers of Commerce wherever they are established.

33. The representatives of the Muhammadan electorate should similarly vote for the two seats for the Muhammadan community in the Council of State. The candidates for such election should have at least five years' experience of council life in the Province.

34. To illustrate the constitution of the Provincial Legislative Council as I have described it in the foregoing pages, I have appended hereto a tabular statement marked A.

STATEMENT A.—Showing the constitution of the Provincial Legislative Council for the Central Provinces and Berar.

Province.	Revenue Divisions.	Electoralates with number of seats assigned to each.						Remarks.
		Land-holders.	Trade, Commerce and Industry.	Municipalities.	District Boards.	Muhammadans.	Graduates.	
The Central Provinces proper	(1) Nagpur—							
	A District	1	} Nagpur and Chhattisgarh combined.	}	}	}	}	
	B do.	1						
	C do.	1						
	D do.	1						
	E do.	1						
	(2) Jabulpore—							
	A District	1	}	}	}	}	}	
	B do.	1						
	C do.	1						
	D do.	1						
	(3) Nerbudda—							
	A District	1	}	}	}	}	}	
	B do.	1						
	C do.	1						
	D do.	1						
	E do.	1						
(4) Chhattisgarh—								
A District	1	} Nagpur and Chhattisgarh combined.	}	}	}	}		
B do.	1							
C do.	1							
Berar	(5) Berar Division—							
	East Berar—							
	A District	1	}	}	}	}	}	
	B do.	1						
	West Berar—							
A District	1	}	}	}	}	}		
B do.	1							
Total		21	4	7	5	3	2	43

**Memorandum, dated the 25th November 1918, by Dr. H. S. Gour, LL.D.,
on the Reforms Scheme to be placed before the Committee
on Franchise.**

I entirely approve of the views expressed in paragraph 226 of the Report, and beg to subjoin the following scheme as applicable to the Central Provinces :—

- (1) The Central Provinces Legislative Council should consist of 60 members to which must be added 15 for Berar. But the strength of the combined Council should in no case be less than what may ultimately be sanctioned for Bihar and Orissa, the Province being enlarged by annexing two or more divisions from the United Provinces and Chota Nagpur.
- (2) I shall, however, assume in the following scheme the two Provinces as they exist at present.
- (3) In that case, assuming the total strength of the Council being 75, I suggest 60 members for election and 15 for nomination.
- (4) Taking first the Central Province as a separate unit the Council should consist of 60 members to be elected as follows :—

(a) Representatives of districts—			
Nagpur	...	...	5
Jubbulpore	...	...	3
Saugor	...	...	2
Raipur	...	...	2
Rest 1 each	..	..	14
		Total	26
(b) Representatives of classes—			
(i) Mahomedans	...	...	5
(ii) Graduates	...	...	5
(iii) Income-tax-payers—			
Commerce and Industries	...	...	5
(iv) Landholders			
Malguzars	...	...	2
Tenants	...	...	2
(c) Co-opted members	...	...	3
(d) Nominated, including ministers and officials	...	...	12
		Total	60

2. *Indian Legislative Assembly.*—Seven members to be elected for the Central Provinces and Berar—five from the Central Provinces and two from Berar.

Central Provinces members being elected as follows :—

By the Legislative Council	..	..	1
By the Graduates	...	...	1
By the landholders and income-tax payers	...	...	1
By the tenants	...	...	1
By Mahomedans	...	...	1

5

3. *Council of State.*—Two for the Central Provinces and Berar to be elected by the Legislative Council of the Central Provinces and Berar as suggested in paragraph 277 of the Report.

4. *Other recommendations.*—

- (1) The Council should elect its own President and Vice-President.
- (2) Ministers and Under Secretaries to be elected by the Legislative Council; and the pay and status of Ministers to equal the pay and status of members of the Executive Council.
- (3) Ministers to be removable from office by a vote of want of confidence passed by $\frac{2}{3}$ ths of the elected members.
- (4) Grand Committees to consist of equal numbers of elected and nominated members and of the latter not more than $\frac{1}{3}$ ths should be officials.
- (5) I recommend that a certain number of seats be reserved in plural constituencies to secure adequate representation of minorities and communities not adequately represented in the Council.

SUGGESTIONS OF YEOTMAL DISTRICT ASSOCIATION

TO

FRANCHISE COMMITTEE.

The Members of the Yeotmal District Association beg to submit the following note containing their suggestions on the terms of reference to Franchise Committee.

I Berar should be treated as a sub province with a separate legislature of its own in consonance with the remarks contained in paragraph 246 of the Montagu Chelmsford Report.

II Their suggestions are mainly based with reference to conditions existing in Berar. They should therefore be read as mainly applicable to Berar. With these introductory words, they beg to give their scheme below for favour of consideration by the Committee.

Scope of Franchise

Franchise should be extended to all literate persons above the age of 18 and others of the same age or more not falling within the classes enumerated below.

- (1) Females, (2) Government servants, (3) Criminal tribes,
- (4) Wandering tribes that have not taken to any form of settled life.

A. The franchise should be extended to 1/3rd. and 1/4th. of the total population in Berar and C. P. respectively provided they satisfy certain property qualifications.

This qualification should be as low as possible for example in the case of cultivators one who is assessed at Rs-10/- for Land Revenue; in the case of tenants cultivating land assessed at Rs-25/- in the case of labourers if he owns a house or pays any kind of tax to the state.

B. Number of representatives for a provincial Council.

Generally the number should be fixed so as to secure one representative for a unit of 25000 population to whom the privilege of franchise is to be extended.

C. Constituencies

I. Principle of communal representation not to be recognised in the case of any communities except that of the Mahomeddars. On recognition of the privilege of communal representation for Mahomeddars, they must be debarred from standing for any constituency other than their special constituency.

II. Cultivators to be divided into three separate constituencies for purposes of representation.

- (a) Landed proprietors including Izardars, Palampatdars and Jahagirdars.
- (b) Registered occupants paying Land Revenue for a particular amount.
- (c) Tenants of all kinds.

III. Graduates of all Universities.

IV. Corporate bodies to be divided into four separate constituencies.

- (a) Head-quarter town Municipalities.
- (b) Minor Municipalities.
- (c) District Boards.
- (d) Sanitation Boards.

V. Agricultural unions and Co-operative Societies.

VI. Factories and Industries.

VII. Trades and commerce. Persons holding certain definite income per year.

VIII. Charitable bodies, such as, Depressed Classes work, orphanages, Religious and Charitable trusts etc.

IX. Labour, Agricultural, Skilled, including artisans, craftsman and unskilled.

D. Number of persons to be returned by these constituencies, and number of nominated members.

(a) Number of nominated members not to exceed 1/5th. of the total strength of the Council, which will thus consist of 4/5th. elected and 1/5th. nominated.

The number of officials to be nominated, 50 per cent. of the total number of nominated members in the Council.

(b) Mahomeddan constituency to return members in accordance with the proportion laid down in the Congress League Scheme.

(c) Of the total number of elected members not less than 1/4th. should be reserved to represent the three constituencies coming under the class cultivators.

Out of this half the number should be elected by the Registered occupants. And in the remaining half, the proportion of representatives for the constituency of landed proprietors to those for the constituency of tenants should be 2 to 1.

Out of the representatives thus secured for the class of Landed proprietors 2/3rd. should be allotted to Jahagirdars and Palampatdars and 1/3rd. to the Izardars.

(d) Five per cent of the total strength of the Council should go to represent the University graduates.

(e) Ten per cent for the corporate bodies to be divided equally among the four constituencies mentioned above under that category.

(f) Co-operative societies and Agricultural unions to be represented half as much as the corporate bodies mentioned in Clause E.

(g) Factory and Industry should have at least one elected representative.

(h) Trade and Commerce 1/5th. of the total strength of the Council.

(i) Charitable societies to have only one elected representative.

(j) Labour agricultural, skilled and unskilled should have a representation. Their number to be at least half as much as that of the Mahomeddans.

Taking the total strength of the Legislative Council for a Sub Province, like Berar to consist of 40 Members, distribution of seats for different constituencies in accordance with the suggestions above made will be as follows :—

Nominated members.	8, out of whom only 4 are to be officials.
Cultivators.	
Registered occupants. ... 4	
Jahagirdars & Palampatdar. 2	9
Izardars. 1	
Tenants 2	
Mahomeddans.	6
University Graduates.	2
Corporate bodies.	
District Head Quarters	
Municipalities 1	
Minor municipalities 1	4
Sanitation Boards. 1	
District Boards. 1	
Co-operative Societies & Agricultural unions.	2
Factories and Industry	1
Trade & Commerce including Banking.	4
Labourers, Agricultural, skilled, and literate unskilled.	3
Charitable societies.	1
	<u>40</u>

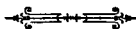
Thus the Council will have 32 elected and 8 nominated Members. Four officials and 36 non-official members. Four officials to be nominated should be intended to serve as expert members as far as possible.

And the four non-officials to be nominated should be intended to secure representation of those special interests that have remained unrepresented in the election but that ought to have been represented considering the nature of the work that is likely to come up before the Council.

E. Seats for Mahomeddars, three constituencies coming under the category of cultivators and the trader and the commerce should be divided among the districts in accordance with the number of voters on the electoral roll for the District.

In the case of other constituencies there should be no distribution of seats for every district.

This is in brief the size and composition of the Council for the Sub-province of Berar.



The same Scheme can be recommended for C. P. also with certain necessary changes i. e.

The size of the Council should be larger consisting of 100 or 120 Members and not less.

The proportion of seats to be distributed among the various constituencies should remain the same as recommended above.

Mining being an important growing industry in that Province will require a separate representation.

The constituency of cultivators should consist of Jamindars, Malguzars and tenants; only 1/4th. of the total seats for cultivating Classes should be for Jamindars and the remaining 3/4th. to be divided between Malguzars and tenants as 2 to 1 respectively.

To secure some representation of the Native Chiefs who have got a great stake in the economic and political progress of British India, recourse should be had to the method of nomination. At least one of the nominated members should be intended to represent the Native states.

Representation of labour should be secured by dividing it in 3 separate constituencies with the right to return equal number of representatives to the Council.

- (1) Agricultural labour.
- (2) Skilled labour, including artisans and craftsman excluding those that come under the class of cultivators.
- (3) Unskilled labour includes coolies and menial servants in Private service or service of Public bodies, provided they be literate.

DISTRICT ASSOCIATION
YEOTMAL
10-XI-1918

H. K. Bhave
B. H. Jatkar
L. R. Abhyankar
Honorary Secretaries,
District Association,
YEOTMAL.

FRANCHISE FOR WOMEN.

An open letter to the president of The Franchise Committee.

To
LORD SOUTHBOROUGH

PRESIDENT,

Franchise Committee,

SIR,

Along with your other colleagues on the two Committees in connection with the scheme of Indian constitutional reforms, you have undertaken the high task of examining and finally recommending a system of Franchise for India. The illustrious authors of the Reform Scheme have, in their Report, recommended that the electorates should be based on as wide a franchise as possible and that representation should be direct. In any scheme of franchise that your Committee may finally recommend, I hope, you will not forget the claims of Indian womanhood.

I admit the force of all that may be urged against the immediate conferring of franchise on Indian women, the prevalence of the pardah system in certain parts of the country, absence of education and all that. But the latter of the objections applies to millions of male voters as well, whom you will have to propose to enfranchise.

It may be urged that any very large class of Indian women will not be in a position to exercise the franchise for some time to come. This is true. But I would request you to look at the question from the point of view of those few Indian women that can. It will be most unreasonable, if because all women can not exercise the franchise, you deny it even to those that can. There are Indian Lady Doctors working as private practitioners and in State employment even in this Province, Inspectresses and teachers in schools and women who can address public meetings with effect on the topics of the day. It will be in the highest degree unjust to exclude such women from the franchise.

It is your high mission to lay the foundations of Responsible Government in India on broad-based electorates. Unfortunately there are no organized Women's Associations in Nagpur and I can not pretend to speak on behalf of the women of this Province or

even of this City. But in pleading for the recognition of the principle of granting franchise to women, I do not think you will consider it necessary for women to organize any demonstrations in favour of it.

I humbly pray that women, as women, should not be excluded from any scheme of franchise that your committee may finally recommend. As I am concerned only in pleading for the recognition of the principle of female franchise, I shall be content if women, say with a certain University qualification, such as possession of University degree or the like are made eligible to vote. It will be equally necessary to give a vote to women who have a certain amount of property, can appear in public and possess a certain amount of education. But I have no particular recommendations to make on these points. What I am anxious about is that women as a class should not be excluded from the system of franchise you are called upon to devise.

Along with many backward classes, Indian Women also have suffered in the past and many and serious disabilities have been imposed upon them in the matter of marriage-laws and laws relating to succession and inheritance.

Now that a beginning in the establishment of a form of Government, responsible to the people, is to be made, please see to it that, to the extent to which this is done, it is made responsible to the men as well as women voters. I am not at present pleading for the right of women to seats in the Legislature itself; that may come in time. But I claim it as a matter of elementary justice that they should be given a vote in the new electorates you will recommend.

Yours faithfully,

NAGPUR :

MATHURABAI DRAVID.

23-11-1918.

**Memorandum by Mr. R. M. Pardhy, Extra-Assistant Commissioner,
Akola, on the Reforms Scheme to be placed before the Committee
on Franchise.**

The Central Provinces and Berar may be treated as divided into two linguistic areas, with a central belt of the plateau districts having a substantial admixture of aboriginals. The Southern area, comprising Berar and the districts of Nagpur, Wardha, Chanda and Bhandara, is known as Maratha country. The Maratha Brahmin element is in the ascendancy. The literate classes in the Maratha country being in close touch with the Deccan have developed high political aspirations. The political agitation of 1907-08 proved that these aspirations had reached an advanced stage, and the present demand is for a substantial share in the government with a view to get self-government in a definite period of time. The other area comprises the Hindi-speaking districts of the north, centre and east. Here with the exception of a few members of the legal profession the people had taken little interest in the agitation of 1907-08. Even at the present day their political aspirations have not risen to the level of the Maratha country. It may safely be said that the masses all over the Province are unmoved by the demands that are being put forward for an advance towards responsible government. The Home Rule League did not attract them, although the political agitators worked hard to increase their numerical strength in the Province. The Muhammadan community is anxious lest any change in the government should injuriously affect its interest. The aboriginal tribes are very backward and simple people and they are quite contented with the present form of government.

2. The Legislative Council of the Central Provinces was formed in 1914. It contains 25 members excluding the Chief Commissioner, as against the statutory maximum fixed at 30 members. The proportion of elected members to nominated members is 10 to 15. Of ten elected members eight belong to the legal profession in the present Council. In two out of three landholding constituencies lawyers have been returned as members. There is room for thinking that the elected members may form a party opposed to Government, and the advisory conception of the Council may disappear with the growth of such an opposition. The combined constituency of the Nagpur and Jubbulpore Municipalities is not homogeneous. The areas represented by members returned by the landholders and the District Councils are enormously large. The property qualification of holding land paying Rs. 3,000 land revenue in the Central Provinces and Rs. 1,000 in Berar is prohibitive. The Municipal and the District Council electorates are not without their defects, as in a very large number of elections of their members the voters evinced little or no interest. The class of tenants in the Central Provinces have no vote. In short the present electorates exclude the general public from taking any direct interest in the constitution of the Provincial Legislative Council.

3. The franchise given to the Provinces is not very old; still the experience gained during the past four years is sufficient to recommend a system of direct election by all persons possessing a vote. Seventy per cent of the population is of the landholding classes. It is essential that the Council should be as thoroughly representative of these people as possible. Territorial constituencies would not achieve this end and so I do not recommend territorial representation. It is necessary that the representation should be real, and this is possible of being attained by confining constituencies to individual districts. A voter will readily come forward to elect a candidate whom he knows and the district will feel that it is represented by some one who knows its views and understands its wants. The responsibility and attachment will be mutual. I therefore propose one landholders' representative for each district with the exception of Mandla, which is backward and has not been provided with an elected District Council and contains very few landholders who will be qualified to vote. Mandla may,

therefore, be conveniently joined to the adjoining district of Seoni. The present property qualification of a voter is, as stated above, very high and may be reduced to Rs. 100. I, however, think that the property qualification for a candidate for election should be substantially high, and propose that it should be fixed at Rs. 1,000. I think the tenants in the Central Provinces should be given the franchise on the above property qualification. The provision of darbaris and honorary magistrates should disappear from the landholders' electorates. I would also propose that the age qualification for electors should be raised from 18 to 21 years. I would insist in the case of rural as well as urban representation that the candidates should be electors of the constituency for which they stand and be permanently resident within the constituency.

Trade and Commerce.

4. There are 1,868 assessées who pay income-tax of Rs. 2,94,746 in the Central Provinces and 2,575 assessées who pay Rs. 3,47,064 in Berar on incomes of Rs. 2,000 and above from "Other sources" (Part IV). I would exclude professions from these assessées as professions do not pertain to trade and commerce, and will secure representation in urban and University constituencies. I propose one constituency for the combined divisions of Nagpur and Chhattisgarh, one for the combined divisions of Jubbulpore and Nerbudda, and one for Berar, and recommend one member for each one of the two Central Provinces constituencies and two members for Berar constituency. This would give nearly 1,000 voters for the two Central Provinces members and about 1,200 voters for the two Berar members.

Urban Interests.

5. I propose direct election by electors who own property of the annual letting value of Rs. 100. I would apply the residential qualification recommended for the voter and candidate for the rural representation to this constituency, and recommend a property qualification of Rs. 1,000 in the case of a candidate. I recommend one member for Nagpur city, one for Jubbulpore city and one for all the other urban areas in each of the five divisions. I think this grouping of the municipal areas is homogeneous.

Muhammadan Electorate.

6. It has been decided that the Muhammadans should get special representation. The population of this community is 4 per cent of the total population of the Central Provinces and Berar. Its male population is 4.22 per cent of the total male population of the Provinces. The percentage of the male population of each division is 4.38 for the Jubbulpore Division, 4.70 for the Nerbudda Division, 3.0 for the Nagpur Division, 1.14 for the Chhattisgarh Division, and 7.93 for Berar. According to these percentages the community can be represented barely by two members on the Council of 48 members—36 elected and 12 nominated—which I am proposing for the Central Provinces and Berar. But I think that this proportion need not necessarily be the only determining factor. There are places like Jubbulpore, Saugor, Burhanpur and Nagpur which have got large Muhammadan population. These places are not close to one another. I therefore recommend one member to represent this community in the Jubbulpore and Nerbudda Divisions and one in the Nagpur and Chhattisgarh Divisions. All the districts in Berar have got large Muhammadan population. I therefore recommend one constituency for Berar. I thus propose three Muhammadan constituencies with one member for each one of them. I do not think it advisable to saddle the Government with the nomination of Muhammadans on the Legislative Council. It not uncommonly happens that nomination, howsoever carefully made, is adversely criticised, and the Government and the nominated member have to bear the odium of irresponsible criticism. I would leave it to the community to elect its own representative. I would not deprive this community of its right of vote and candidature in other constituencies as the concession of a separate franchise is being granted to it as a tentative measure. I think that the moral effect of keeping the community in touch with the several other electorates will be greater than that of keeping it isolated from the very beginning. For the Muhammadan electorates I propose the same qualifications which I have recommended for the voter and the candidate in other constituencies.

University.

7. I propose one member to represent the University. But there is no University at present in the Central Provinces and Berar, and till we get one I propose to extend this franchise to all the graduates in these Provinces.

8. I propose eight officials and four non-officials for nomination. The eight officials should include the Governor and the two Executive Council members, the remaining five being the Secretaries and some heads of particular departments which the Governor may consider necessary for representation. The assistance of non-officials of outstanding merits who do not secure election can be obtained by their nomination, and I recommend four seats for such persons. The nomination will of course be made by the Governor. Nominations

9. The Central Provinces and Berar Legislative Council will consist of 48 members according to the above recommendations. The details are given in the table submitted herewith. The number of nominated members will be one-fourth of the number of members on the Council. The non-official element will preponderate and thus the representatives of the several electorates will get an opportunity of doing what good they can for their constituencies. The representatives will be in closer association with one another and will be able to gain knowledge and experience as a first step towards participation in the government. I am quite hopeful that the urban constituencies will return members who are well educated. It will be for them to work in co-operation with the members representing other constituencies which are not equally well advanced.

10. I am unable to propose any direct electorate for the Assembly. I think the numerical strength of five suggested in paragraph 274 of the Reform Report is sufficient for the Central Provinces and Berar. I think that the non-official elected members of the Provincial Legislative Council should elect the five members, and if any one of them is so elected his vacancy should be filled up by another election. The qualifications of the candidate should be the same as the qualifications for the representative on the Provincial Legislative Council. Indian Legislative Assembly

11. The same method proposed for election of the five members of the Indian Legislative Assembly in paragraph 10 above may be followed in electing a member for the Council of State. If the member so elected turns out to be a member of the Provincial Legislative Council his vacancy may be filled up by another election. The qualification of the candidate should be the same as proposed for a candidate for the Provincial Legislative Council. Council of State

Statement showing the electorates of the Central Provinces Legislative Council.

Name of Division with District.	Land-holders or Rural areas.	Trade and Commerce.	Municipal or Urban areas.	Muham-madan Electorates.	University or Graduates.	Nominated.	
						Officials.	Non-officials.
1	2	3	4	5	6	7	8
<i>Jubbulpore Division.</i>							
Saugor	1						
Damoh	1						
Jubbulpore	1						
Mendla			2				
Seoni	1						
Total	4						
<i>Nerbudda Division.</i>							
Narsinghpur	1	1					
Hoshangabad	1						
Nimar	1						
Betal	1		1				
Chhindwara	1						
Total	5	1	1				
<i>Nagpur Division.</i>							
Wardha	1						
Nagpur	1				1	8	4
Chanda	1						
Bhandara	1		2				
Balaghat	1						
Total	5		2		1	8	4
<i>Chhattisgarh Division.</i>							
Raipur	1						
Bilaspur	1						
Drug	1		1				
Total	3		1				
<i>Berar.</i>							
Amraoti	1						
Akola	1						
Buldana	1	2	1	1			
Yeotmal	1						
Total	4	2	1	1			
GRAND TOTAL	21	4	7	3	1	8	4

Memorandum by Khan Sahib Israel A. Talibuddin, Malguzar of Khandwa, Raipur, Central Provinces, on the Reforms Scheme, to be placed before the Committee on Franchise,

As regards to Provincial Legislative Council in my opinion the following persons should have the right to vote:—

- (a) All landlords and tenants who pay rent or revenue to the extent of Rs. 12.
- (b) All persons working with mines who pay royalty to the extent of Rs. 50.
- (c) All persons who pay income-tax to the extent of Rs. 20.
- (d) All persons who pay local taxes to the extent of Rs. 12.

Every Tahsil having a population of at least fifty thousand people should be made a polling station.

It should not be necessary that the candidate should reside in the place where he has got property.

Every voter should be a man of healthy body and should be at least of 25 years of age.

2. Every district should be divided into two or three parts and all voters residing in these parts should be called at one principal town in that part and the vote should be recorded on paper in presence of the polling officers.

3. The number of members should be appointed according to the population in the district or in the Division. I am against the principle of giving the rights of election to different communities, but if it is to be given at all it should be given, like the Hindus and Muhammadans, to Indian Christians as well, because the number of literates is much more in the Indian Christian community than in other communities, that is because they stand highest in point of literacy, and further in view of the fact that the Indian Christians have been recognized as a separate community by the passing of separate laws, such as the Indian Succession Act, the Indian Christian Marriage Act, etc., and they stand third in point of number.

4. The number of nominated members including the officials and non-officials should not exceed one-fourth of the total number.

5. If the Provincial Council is to consist of 69 elected members, then in my opinion every set of two lakhs of people must be given one member; if this principle be accepted then every Division shall have its members as follows:—

Jubbulpore Division ... 12	Nerbudda Division ... 19
Chhattisgarh Division. 16	Berar Division ... 15
Nagpur Division ... 16	

6. The population of the Central Provinces including Berar is 138 lakhs. If two lakhs of people are given one member then the total population will represent 69 members and these 69 members must be allotted to each Division according to the population it contains and the number of members given above against each Division will be found to be approximately correct.

7. In my opinion, in addition to the elected 69 members, there should be 17 nominated members which will include both official and non-official members.

8. As regards the Indian Legislative Assembly I am of opinion that the principles I have stated above should apply and the same principle should apply to the Council of State.

VILLAGE-KHANDWA, }

The 23rd Nov. 1918. }

ISRAEL A. TALIBUDDIN,

A Note Regarding the Franchise in Berar.

By Rao Bahadur V. P. Puranik

I have been asked to state what the attitude of the rural classes is towards the Reform Scheme that is proposed. As one of the big landlords in my district, I am in intimate contact with the rural classes and I may in some degree claim that I am in a position to know their needs and also their views. I think it would not be accurate to say that they understand the Scheme of Reforms that is now proposed in all its complicated details. What they are aware of most keenly is the many grievances which they have to labour under; but what I have found by personal experience is that when the proposals now before the country are properly explained to them and it is shown to them how by means of their own representatives in Council they will be able themselves to mould the policy and measures of Government, they grasp it at once and get enthusiastic about it. It is to them an application of the principles of the old Panchayat system on a large scale, of which there are still some traces in the management of caste affairs.

My own attitude towards the Reform Scheme as a whole is that of the Moderate Party as a whole and the resolutions which they recently passed in a Conference in Bombay has my entire approval. I accept the Scheme as a measure constituting a substantial step towards the progressive realization of responsible Government in India in the terms of the pronouncement of 20th August 1917.

Before saying anything about the question of franchise or the qualification of candidates, I have to point out that the present arrangement under which Berar forms an appanage of the C. P. administration is disliked by all Bararees alike. I have to suggest therefore that, as suggested in the Report on the Constitutional Reforms, Berar should be made a separate province with a separate legislature of its own.

This legislature should consist of 40 members of whom a little over one-fifth i. e. 9 should be nominated officials and non-officials. The remaining 31 members should be distributed amongst the various electorates that are proposed below. The Zamindars, Palampatdars and Izardars of Berar should be entitled to elect representatives of their own; so also the factory owners, Graduates and the two chief cities of Amraoti and Akola. Mohamedans will of course have separate communal representation. The 31 elective seats in the Legislature should be distributed as follows:—

4	Seats	...	Zamindars, Palampatdars and Izardars, one for each district.
2	"	...	Factory owners, one for East Berar and another for West Berar.
2	"	...	Graduates, one for East Berar and one for West Berar.
4	"	...	Mahamadans one for each district.
2	"	...	Cities of Akola and Amraoti.
17	"	...	Through territorial District electorates.

With regard to Zamindars etc. I propose that all of them should have a vote. If there are co-sharers, a certain minimum share should be laid down as the basis for a qualification.

For the cities of Akola and Amraoti, all those who are at present eligible to vote for municipal elections should be entitled to vote for the return of a member to the legislature proposed.

The 17 territorial district electorate seats should be distributed as under:—

5	Seats	...	Akola District.
5	"	...	Amraoti District.
4	"	...	Buldana District.
3	"	...	Yeotmal.

In these district electorates, all those who pay income-tax outside the cities which are given a separate seat, all those who pay a rent of 50 or over to Government or to an intermediate landlord should be entitled to vote.

The qualifications for a candidate to a seat in the Legislative Council should be higher than those in the case of a voter. But I have no definite views as regards what these higher qualifications should be. Candidates, however, should be those who reside in the area from which they seek election.

I have explained above my views regarding franchise and electorates; but I have done so on the assumption that the request of Berar for a detachment from the C. P. is granted. In case, however, this request is not going to be granted, I have to propose that at least one-third of the total strength of the legislature of the combined provinces should be drawn from Berar. I would propose in that case that the legislature should consist of 90 members of whom 30 should be from Berar. These seats would then be distributed in the following manner:—

4	Seats	...	Nominated officials and non-officials.
4	"	...	Zamindars etc.
1	"	...	Factory owners of Berar.
1	"	...	Graduates of Berar.
4	"	...	Mohamedans.
2	"	...	Cities of Akola and Amraoti.
14	"	...	Territorial district electorates.

Total ... 30

These last should be distributed as under:—

4	Seats	...	Amraoti District.
4	"	...	Akola. "
3	"	...	Buldana. "
3	"	...	Yeotmal. "

Total ... 14

Franchise and qualifications of the candidates will remain the same.

With regard to the protection of the interests of what are called backward classes, I accept the compromise accepted at the moderates' Conference in Bombay. The device of single transferable vote in the multi-membered constituencies will secure the object aimed at; but I would make no objection to the reservation of a seat in each of the territorial electorates for a period, if necessary.

WUN
DISTRICT YEOTMAL, BERAR }
28th November, 1918.

V. P. PURANIK.

A Note, dated the 22nd November 1918, by the Hon'ble Mr. B. P. Standen, C.I.E., I.C.S., Commissioner, Berar, to be placed before the Committee on Franchise.

I must begin by stating the constitutional position of Berar and the arrangement which I would propose to make in order to place Berar as nearly as possible on the same constitutional plane as British India. I would premise that this question is different from that of the possible future separation of Berar from the Central Provinces and the constitution of a separate government for it (*vide* paragraph 246 of the Report). That question will be raised, if at all, in the Reformed Council. What I am now considering is the means necessary to give the electorate of Berar the same control over legislation as is to be enjoyed by the electorates of British India. Berar is not a part of British India, and it has been held that laws can be framed for Berar only by the Governor-General in Council acting under the Indian (Foreign Jurisdiction) Order in Council of 1902. Members elected by Berar constituencies sit in the Central Provinces Council, but their title to sit there rests on formal nomination by the Chief Commissioner subsequent to their election and not on their election. Some Bills introduced into the Council are suitable for application to Berar, and Berar members of Council have of course the same opportunities for stating their views thereon as the Central Provinces members, and in respect of these Bills Berar is not in a less advantageous position than the Central Provinces, although the Bill is finally applied under the Order in Council of 1902 and not under the Government of India Act. But in regard to legislation affecting Berar alone, Berar occupies an inferior position. Such Bills cannot be introduced in the Central Provinces Council. After publication in the Gazette they are referred to a Committee nominated *ad hoc* for scrutiny and amendment if necessary. This Committee always includes some of the Berar members of the Central Provinces Council. After considering the report of the Committee the Government forwards it to the Government of India, which may apply it by an order under the Order in Council mentioned above. These Bills therefore cannot be subjected to the same amount of public discussion as the Central Provinces Bills. There is a strong feeling amongst Berar politicians that Berar should be put on the same plane as the Central Provinces in this respect. Further, it is a grievance with these gentlemen that the Berar revenues are paid into the Central Provinces Treasury and the whole disposed of by the Administration as seems best to it. They argue that this procedure would be not only unjust, but illegal, if the Central Provinces Budget were settled, as proposed in the scheme, by the Legislative Council (subject of course to certain reservations). As regards the alleged legal difficulty, if Government so desired, they could draft the new constitutional law in such a way as to permit the Central Provinces and Berar Government to treat the revenue and expenditure of the Central Provinces and Berar together in a single Budget, and there would be nothing in this out of accord with anything in the scheme put forward in the report of the Viceroy and the Secretary of State. The Berar members would have a full opportunity of debating the Budget, though they might of course be unable to get their own way in regard to the expenditure of a larger share of Berar revenues in Berar. The question is really a financial one: if it is considered that the peculiar political position of Berar gives it a right, which no other Division in the Province can claim, to spend all its revenues for its own benefit, then the two Budgets should be separately prepared and considered, and if Berar is given a separate Council for legislative purposes, that Council would naturally deal with the Berar Budget. In my opinion, Berar should be given the same opportunities of legislating by Council as British India, and on that ground I would advocate the formation of a Berar Council for this purpose and for passing the Budget, if it should be decided to separate the Central Provinces and Berar Budgets. Legislation applicable to the Central Provinces and Berar alike should be dealt with in the Central Provinces Council, to which Berar members would be appointed as at present, and all questions and motions affecting Berar should be confined to that Council. This could be arranged without political objection by notifying the constitutional law under the Order in Council and publishing the Bills passed by the Berar Council by notification of the Governor-General in Council under the Order in Council.

2. Passing now to the working out of this proposed arrangement, my personal predilection is for one purely territorial chamber and one representative of classes and interests. If we are to have a single chamber, it should, in my humble opinion, be based, as far as possible, on a territorial system. We have in the Central Provinces and Berar the following principal classes and communities, the leading interests of which are different from, and in some cases antagonistic to, those of other classes, *vis.* :—

- (1) The rural classes.
- (2) The urban classes.
- (3) The landlords.
- (4) The tenants.
- (5) The labourers.
- (6) The Mahomedans.
- (7) The commercial and industrial classes.

If we had a simple territorial electorate, candidates belonging to classes (2) and (7) would absorb nearly the whole of the seats. It is necessary to allow separate representation to urban and rural areas, if the latter are to be fairly represented. There is good precedent for this in England. The tenant vote would much out-number that of the landlords in the rural constituencies, but the superior influence of the latter will always secure them adequate representation. On the other hand, the tenants are so much more numerous that, provided there is more than one seat in a considerable number of the rural constituencies, they will be able to hold their own. Subject to the special proposals made for the Berar Council in regard to one class of villages, I do not propose, therefore, any special representation for either of these classes. The labourers will be unrepresented unless special arrangements be made for their representation. The social and economic position of the labouring class influences their political views so strongly that in politically advanced countries the labouring classes form a separate political party, and thus by an organization secure what is virtually a class representation, and if we now set up by statute a separate representation for labour we shall not be encouraging a class division which would otherwise not have existed (paragraph 229 of the Report). Separate representation for labour is particularly necessary in India because this class is here distinguished from others, not only by a difference of interests arising naturally out of its economic position, but also by the ancient laws of caste, which make a sympathetic consideration by other classes of problems affecting their welfare much more difficult in India than in other countries. For reasons stated in the Report, if for no others, Mahomedans must be allowed separate representation. Without it they would be entirely unrepresented in these Provinces. The commercial and industrial classes will be in a position to obtain adequate representation in the urban constituencies and do not require any special representation. I base this opinion on the results of municipal elections. Out of 98 elected members in the Municipal Committees of Berar, 41 belong to the mercantile and industrial classes.

3. For the present the labour representation must be by nomination. It would be impossible to devise qualifications for a vote which would not admit to the register an enormous number of voters in this class. It would be equally impossible in the present state of India's political development to manage the business of voting by such an electorate, and only a minute fraction of the whole would be able to give an intelligent vote. But there are already members of this class who could hold their own in Council if speaking in the vernacular were permitted, and there are a few members of other communities whose active interest in the welfare of the workers, and of the untouchable workers in particular, would make them fit representatives of the labouring class. The scattered character of the Mahomedan population in the Central Provinces, and the small number of prominent men of that community, make it very difficult satisfactorily to secure their representation by election. Large sections of the electorate would have no knowledge of the candidates. A more satisfactory result will be

attained by nomination. In Berar the Mahomedan population is more dense: it constitutes about 7 per cent of the population and is fairly evenly distributed over the country. It has already an association of its own for educational purposes, and the leading men are known by reputation to the rank and file of the community. It would be possible here to provide for their representation by election.

4. Proportionate representation must, I think, be ruled out for the Central Provinces and Berar. It will be difficult enough for our largely illiterate electorate to make up its mind on reasoned grounds which one of the candidates it prefers to all the others; if the elector is asked also to put the others in order of merit, it will be altogether too much for him. He will do it blindly and without understanding.

5. In forming constituencies I would aim at the following conditions as far as circumstances permit:—

The constituencies should be small enough to allow of the electorate having some knowledge of the candidates: but should not be so numerous as to produce an inconveniently large Council. The seats should be allotted with reference to the strength of the electorate in different areas.

There should be, as far as possible, at least two seats in each constituency in order to allow the weaker sections of the electorate a chance of putting in their candidate by 'plumping' for him. The urban constituencies would consist of towns containing a certain minimum population or a certain minimum number of income-tax payers, preferably the latter, because some towns are really only an aggregate of villages in which the agricultural interest is the only one of importance.

6. On this basis I propose the following constitution for the Central Provinces Council:—

Rural seats—

The rural area of each district to be a constituency and the number of seats allotted to be proportionate to the strength of the electorate. I propose 40 rural seats—an equitable distribution over the district would probably give some districts 1, some 2, and some 3 seats (say 3, 15 and 4).

Urban seats—

Nagpur and Jubbulpore should each send 1 member to Council. All the remaining eligible towns in each division would form a constituency, and they would return in all 8 members, who would be distributed over the constituencies in proportion to voting strength.

Mahomedans in the Central Provinces should have 2 seats and in Berar 1; and labour 4 in the Central Provinces and 2 in Berar.

This would give a total of 59 non-official seats, of which perhaps 16 or 17 would belong to Berar. I would provide one more non-official seat to be filled by nomination to represent any interest that might at the time have special importance without adequate representation and would add 7 official seats, *viz.*, the Governor, 3 Members of the Executive Council, and 3 others. It should be open to the Governor to nominate these last for any period not exceeding the term of the Council. He would thus be able to vary his nomination to suit the business of the Session and the number of official seats would be kept at a minimum without inconvenience. This would give a Council of 67, including the President.

7. The qualifications for a vote might be as follows:—

Rural constituencies—

- (a) Residence outside an urban area (as defined for the purpose of the Council constitution).
- (b) Payment of a specified minimum of land revenue or rent or possession of a specified minimum income.
- (c) And in the case of tenants, possession of a tenant right, which is protected by law in respect either of possession or rent.

Urban Constituency—

- (a) Residence in an urban area.
 (b) Ownership or occupation of property of specified minimum annual value situated in an urban area.

Berar Mahomedan Constituency—

- (a) Residence in Berar and eligibility for a vote either in a rural or an urban constituency.

Any voter should be qualified to stand as candidate for the constituency in which he is registered as a voter. The residential qualification is necessary to ensure a thoroughly representative character to the Council. If a resident of an urban area is allowed to stand for a rural area, we shall have a Council composed almost entirely of lawyers and businessmen. The amount of the specified minima payments, etc., must depend on the number of voters produced by given minima. A tenant paying Rs. 50 is no better qualified to vote than one paying Rs. 25. If we wish the minimum of rent or land revenue to connote an approximately similar income and status all over the Province, we must vary the minimum in different parts, and this, I think, we should do. If we do not, we shall have an electorate of varying magnitude in different parts of the Provinces. A minimum rent of Rs. 50 would produce a good-sized electorate in Nagpur, but in Raipur would give us a few hundred voters only (I have not seen the statistics, but this is my impression), and would exclude large numbers of men of equal status to a large part of the Nagpur electorate.

8. Property qualification for a vote :—

Rural Constituencies.

The latest figures for the Taluq Board electorate in Berar are as below :—

District.	Population of rural area.	Voters.	Percentage of voters who went to poll in		
			1916.	1917.	1918.
Amraoti ...	750,583	8,857	3.9	2.7	5.5
Akola ...	715,655	7,380	7	4.3	3.4
Buldana ...	627,838	5,915	7.17	6.29	6.57
Yeotmal ...	710,885	4,032	25.9	10.1	...
Total ...	2,804,961	26,184	...	...	...

One per cent of the rural population therefore has a vote for the Taluq Board elections. The electorate consists of persons paying Rs. 4 or more on account of Jaglia cess (equivalent to Rs. 64 land revenue) of Watandar Patels and Patwaris, the heads of Deshmukh and Deshpandia families, Honorary Magistrates, and Income-tax payers. Under a recent amendment of the Law the commercial electorate will be extended, and will probably include all persons having a minimum income of Rs. 500 from sources other than agriculture. As a rule, few voters, except the Patels and Patwaris, who as Government servants feel a special obligation, go to the poll (*vide* the small percentages given above). In nine out of the ten municipal towns, in which the committee is partly elected, the electorate numbers 10,759 on a population of 156,792, or 7 per cent. The qualification for a vote varies in the several municipalities from payment of Rs. 2 to payment of Rs. 5 rates.

No trouble is taken at the Taluq Board elections about identification: the candidates see the voters, but cannot possibly know them all by name. At the municipal elections voters are carefully identified, as all kinds of roguery is practised at the few keenly contested elections. I am told that up to 500 votes have been taken in one day at a polling station with good arrangements; the identification being supervised by one official, while another supervises the polling; but I am sure this is much too high a figure to take as a standard in considering the practical limits to the size of the electorate. Allowing for the difficulties of

identification, and the illiteracy of many of the voters, I doubt whether we can count on an average of more than 250 votes per polling station per diem. It will be necessary to have a number of polling stations for each constituency. The number of these will be limited by the number of suitable persons whom we can depute to supervise the polling. The services of Honorary Magistrates and perhaps members of local bodies would have to be used to supplement official agency. There is no reason why all the votes should be cast on one day, but it would be a nuisance if the proceedings were spun out over more than 2 or 3 days. I think in the rural constituencies we could arrange for 5 or 6 polling centres in each Taluq—say 30 per district; and if the poll continued for two days, we could deal with 15,000 voters, which would admit of an electorate of at least 20,000 per district in Berar, or nearly 3 per cent of the population. A larger electorate than this would present practical difficulties at the polls. I think our organization for land revenue and land record purposes would make registration a matter of less difficulty.

In the urban areas it would be easier to arrange for supervision of the polling—a larger proportion of the electorate will be literate, and it will be possible to manage the registration and the elections of a proportionately larger electorate. It is not necessary to enlarge the electorate beyond the limits of the existing municipal electorate, which covers 7 per cent of the urban population.

I would therefore fix the property qualification for franchise on the basis of 3 per cent of population for rural and 7 per cent of population for urban constituencies.

9. I recommend that no areas be made the subject of special treatment. The Melghat Taluq of the Amraoti district and parts of the Yeotmal district are very jungly, but any persons entitled to a vote in these areas will be just as capable of exercising it as voters in other parts. Unless the franchise be taken very low, they will indeed usually be above the average in intelligence, as they will be the Telis, Baniyas and Kalars who have raised themselves above the rest of the population by the exercise of their wits.

10. It is essential that members should be permitted to speak in Council in their mother-tongue or in English. If this is not allowed, only a very small number of truly rural candidates will be available. A good many speeches would not be understood by all the members in a Province like this, where three separate languages are largely spoken besides English: but, I believe, experience in South Africa shows that this does not seriously hamper the despatch of business. Officials would have to improve their knowledge of the vernacular or (in the case of many) to recall what they learnt in their younger days, when their duties gave them more opportunities for speaking the vernacular than they get in higher appointments.

11. I pass now to the consideration of the constitution of the Council to pass purely Berar legislation. The Berar members of the Central Provinces Council would of course be members of the Council, but local aspirations will not be satisfied with so small a Council as this would provide, and the addition of two members is desirable on the grounds stated below:—

I would propose that the Council consist of—

Double the number of Berar rural members in the Central Provinces Council.

The Berar urban members on the Central Provinces Council and 1 member for Amraoti and 1 for Akola Town.

Two Mahomedan members.

Two labour members.

One representative of holders of alienated villages, including Ijaras.

One representative of tenants protected by law in respect of possession or rent.

Assuming that the Berar rural members in the Central Provinces Council will be 10 or 11 and the urban members 3, this would give a non-official strength of 31 or 33, to whom I would add 4 officials, *viz.*, the Commissioner, who would preside, and three others to be selected by the Governor from time to time according to convenience: a total of 34.

If one of the official members were a member of the Executive Council he would preside, otherwise the Commissioner. There are in Berar some 700 villages of which Government has alienated the right to receive the land revenue or a part of it. Special problems concerning the relations of landlord and tenant arise in these villages, which have recently been, and may again be, the subject of legislation. It is essential that special representation should be allowed to both these classes; they are not large enough to ensure that they should usually be represented otherwise. A single election should decide the Berar membership of the Central Provinces Council and that of the Berar Council. In the rural and Mahomedan constituencies, those candidates in each constituency receiving the largest number of votes would sit in both Councils.

In the urban constituency the election for the representation of the Amraoti and Akola Towns in the local Council would be held at the same time as the general urban election. The voters of these two towns would thus have a plural vote, but I think this is not of much importance.

Those voters in the rural constituencies who are qualified for a vote in the special landlord or tenant constituencies might also be allowed a plural vote. The only alternative is to hold separate elections for the two Councils, which seems unnecessary.

The Imperial Legislative Assembly.

12. With 66 elected members the Central Provinces and Berar would not get more than 3, I suppose, and probably only 2. Berar and the Central Provinces could not legally be included in one constituency. I think the number of elected members should be increased so as to permit of the Central Provinces getting 2 and Berar 1. Experience has shown us the undesirability of indirect election through the Local Bodies: this has adversely affected the composition of a few Municipal Committees in Berar by placing on them men whose interests are mainly political and who are not inclined to exert themselves in municipal matters. The same phenomenon has not appeared in the sphere of District Boards, but it would probably appear before long. Whatever arrangement be made, I would advocate the exclusion of the Local Bodies from it.

Memorandum by the
Reforms Scheme, to be

Shahib R. V. Mahajani on the
the Committee on Franchise.

Constitution of the Central Provinces Legislative Council, if Berar is not made a sub-province, and as stated in paragraph 246 of the Reforms Report, should be as follows:—

Total number of members to be 60 as follows:—

Nominated officials ...	...	...	5
• „ non-officials ...	...	...	7
Elected members for Central Provinces	•	...	32
„ „ for Berar	...	...	16
			<hr/> 60

The elected members to be returned as under:—

*Central Provinces.**

- (1) Eighteen districts, excluding the towns of Nagpur and Jubbulpore, should be formed into nine constituencies, each constituency being made up of two districts. Each constituency which should have one general electoral roll of voters (whose qualifications should be as given below) should return three members representing the several interests—

1 Malguzar
1 Tenant
1 Income-tax payer.

$3 \times 9 = 27$

excepting the proprietors of mines, who form a separate electorate.

- (2) One member elected by the graduates residing in the Central Provinces. 1

Note.—This seat as well as a similar seat from Berar will ultimately be transferred to the University after one is established in these Provinces.

- (3) One member elected by the proprietors of mines ... 1
- (4) One member elected by a combined electorate consisting of the residents of the towns of Nagpur and Jubbulpore to be elected from the two areas alternately. 1
- (5) Two members elected by the Muhammadans as under— 2
- 1 Nagpur and Chhattisgarh Divisions.
1 Jubbulpore and Nerbudda Divisions.

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Berar.

- (1) Each of the four districts in Berar, excluding the towns of Amraoti (including Amraoti Camp) and Akola, which constitute a separate electorate, to constitute an independent constituency which should elect three members as under—

2 to represent the agriculturists.
1 to represent the Income-tax payers.

$3 \times 4 = 12.$

- (2) One member elected by the graduates residing in Berar ... 1

Note.—This seat will ultimately be transferred to the University when one is established in these Provinces.

- (3) One member elected by the residents of the towns of Amraoti (including Amraoti Camp) and Akola to be returned alternately from the two places. 1
- (4) Two members elected by the Muhammadans residing in Berar as under:— 2
- 1 East Berar.
1 West Berar.

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The number of members may gradually be increased to 75 so as to make the election more general and to give separate representation to the interests which will grow with the growth and progress of the province; of course the number of nominated members will increase *pari passu* with the increase in the elected element. Increase in the number may occasionally be made to meet the exigencies of a special legislation. In case Berar is made a sub-province, as contemplated in paragraph 246 of the Reforms Report, I would like Berar and the Central Provinces to have a council of 30 and 60 members respectively, representation being given to the separate interests in the proportions mentioned above as far as possible. I would strongly urge the necessity of making Berar a sub-province so that it may fully utilize its revenues for its own furtherment.

Franchise.

Disqualifications.—The following persons shall not be entitled to vote :—

- (i) Persons not competent to contract, *e.g.*, minors and lunatics.
- (ii) Persons below the age of 21.
- (iii) Persons who have been adjudged as insolvents.
- (iv) Persons convicted of an offence involving moral turpitude provided the disqualification is adjudged by a competent court.
- (v) Persons in Government service.
- (vi) Foreigners, unless they are naturalised at least for a period of 7 years prior to election.

• District area.

Qualifications.—The following persons shall be entitled to vote at the district elections, provided they are residents of or own property in that area for at least a year before the election. (I am fixing the limit so far as Berar is concerned.)

- (i) Persons paying land revenue to the extent as shown below—

	Rs.
Amraoti and Akola	75
Buldana and Yeotmal	50

- (ii) Proprietors of alienated lands paying Rs. 100 or more to Government.
- (iii) Holders of alienated lands which if assessed will have to pay a land revenue of Rs. 75 or Rs. 50 as shown in sub-clause (i) above.
- (iv) Persons having an annual income of Rs. 300 from sources other than agriculture.
- (v) Officers of Village Panchayats including the Village Sanitation Panchayats, Co-operative Circle Unions and Local Bodies (irrespective of property qualifications).

The area of selected cities or towns.

Those who are qualified to vote at Municipal elections.

Qualification for Muhammadan electorates—

The qualification should be adjusted so as to make a decent number of voters for each electorate, as I am unable to get the necessary figures.

Qualification for candidates—

- (a) He should be a male over 25 years of age.
- (b) He must be qualified to vote and also belong to the class which he is going to represent.
- (c) He must be a resident of the district including the town for the district electorate or of the town or city for the latter electorate for a period not less than two years before election.

General remarks.

It will be seen from the above that I want to have a territorial electorate in the first place; and in order that separate interests should be represented in the council, I have suggested that their representatives should be separately

elected though by means of a general electoral roll of voters. So far as the Muhammadans are concerned, I have made an exception on the lines of the Congress-League Scheme, and have given them a separate representation provided they do not take part in general election. They may be allowed to take part in the election of special interest, *e. g.*, University and mining interests. I do not think that it is necessary to make any provision for other minorities in these Provinces. So far as Berar is concerned, I can confidently assert that the rural classes, though in majority in the electoral rolls at present, have hitherto shown their confidence in the educated classes; and therefore I am quite sure that as education advances, the representatives of other classes will necessarily come forward. It is necessary that the rural as well as the urban areas should co-operate in the sacred work of the uplifting of India as a nation, and therefore I would have only one general electoral roll for the combined areas. As far as I know no community or class, even the Muhammadans who form only 2.75 in the Central Provinces and 6.5 per cent in Berar, has ever expressed any desire in these Provinces for a separate representation. No doubt, in Berar, the interests of Jagirdars and Izardars do conflict at times with those of their tenants; but such occasions are rare; and therefore I have not made a separate provision for them. In case a legislation like the Izara Tenancy Bill, which is under contemplation at present, is forthcoming, a representative from those classes should be nominated for the time. I have adopted the principle of a plural constituency to secure the representation of varied interests existing in the province, *e. g.*, malguzars, tenants, income-tax payers; mining interest is the only interest which has grown of late and which requires a representative to guard itself. The interests of the commercial as well as industrial classes, including those of factory owners, are, according to my scheme, entrusted to the representatives of income-tax payers who form half the number of those for the agricultural classes. Besides these there are other representatives who are expected to watch the interests of the labourers and other minor interests who cannot at present have a separate representation. All the classes will thus keep a fair balance; if any minority is unrepresented and it is desired to give one, recourse may be had to Government nomination.

In suggesting the qualifications for voters, I have taken into consideration the list which was placed on the Council Table at the meeting of the local Council held on the 29th July last. I have taken care to see that the number of voters will be sufficiently large and will not cause the whole machinery to break down through sheer weight of numbers.

I have no objections to females having a right of voting only.

Indian Legislative Assembly.

I agree with the authors of the Reforms Report as regards the total number of members though I would like to have only one-fifth of the number to be nominated. In distributing 80 seats over the several provinces I would claim that the Central Provinces and Berar should have a number equal to that of Behar and Orissa. Taking the number to be six for our province, I would suggest the seats to be distributed as follows:—

No.	Electorate.
1	Nagpur and the Chhattisgarh Divisions.
1	Jubbulpore and the Nerbudda Divisions.
1	Berar.
1	Muhammadans in the Central Provinces and Berar.
2	Members of the local Council.

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I am for having a direct election generally with the exception of the two members who will be elected by the members of the local Council. For the other constituencies I would insist upon the following qualifications for voters:—

- (a) Those who pay land revenue to the extent of Rs. 1,000 or above.
- (b) Those who pay Rs. 250 or above as income-tax.
- (c) Officers of Local Bodies.
- (d) Graduates.

For Muhammadans, the franchise may be lowered so as to make a decent number of voters.

Council of State.

As I have already claimed a status for these Provinces, equal to that of Behar and Orissa, I should like to have two members on the Council of State who should be elected by the elected members for the Central Provinces and Berar, one reserved for each. In order to make this number fit in the scheme suggested in paragraph 277 by the authors, I am prepared to have the number reduced by one either in the number of nominated members or in that of elected ones. There is ample material available for forming a constituency of landed interests inasmuch as the number of persons in the province paying Rs. 1,000 and above as land revenue is sufficiently large, *e.g.*, it is nearly 300 in Berar. I may suggest rich land-holders and Kazis as a material for the other Muhammadan constituency.

Chamber of Commerce.

There is no Chamber of Commerce in these Provinces, but in the absence of such a body the following industrial interests with a capital exceeding a lakh of rupees may be safely taken as a material to be classed along with the Chambers of Commerce throughout India :--

- (1) Spinning and Weaving Mills.
- (2) Oil Mills.
- (3) Mining Industry.

If a Chamber of Commerce is formed in these Provinces later on, these minor constituencies should be merged in that body.

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