

# MINUTES OF EVIDENCE

TAKEN BEFORE THE

## ROYAL COMMISSION

UPON

# DECENTRALIZATION

IN

## BALUCHISTAN,

THE

## NORTH-WEST FRONTIER PROVINCE,

AND THE

## PUNJAB.

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VOLUME IX.

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

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## ROYAL COMMISSION UPON DECENTRALIZATION.

### BALUCHISTAN.

#### SIXTIETH DAY.

QUETTA, Friday, March 20th, 1908.

PRESENT :

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

Sir FREDERIC LELY, K.C.I.E., C.S.I.  
Sir STEYNING EDGERLEY, K.C.V.O., I.C.S.  
R. C. DUTT, Esq., C.I.E.

W. S. MEYER, Esq., C.I.E., I.C.S.  
W. L. HICHENS, Esq.

Mr. A. WILLIAMS, I.C.S., LL.M., was called and examined.

37423. (*Chairman*.) You are the Revenue and Judicial Commissioner in Buluchistan?—Yes. I first came to that appointment in April 1905, and have been substantively so ever since, except that I have twice officiated as Resident in Mysore. I have previously been Under-Secretary in the Foreign Department, Deputy Secretary in the Legislative Department, and in the Home Department, of the Government of India.

The Revenue Commissioner in Baluchistan is also the Judicial Commissioner. As Revenue Commissioner he is the adviser of the Local Government in financial and revenue matters and, subject to the Agent to the Governor-General and Chief Commissioner, generally controls the revenue administration. He combines the functions of Settlement Commissioner, Chief Revenue authority for Stamps, Commissioner of Excise, Inspector-General of Jails and Registration, Registrar-General of Births, Deaths and Marriages, and Registrar of Joint Stock Companies. He exercises the powers of a Local Government in the administration of Local Funds, and has general superintendence over forest and educational administration and of the measures adopted against the introduction of plague into Baluchistan. As Judicial Commissioner, he is in charge of the judicial administration of the province with the exception of the proceedings under the Frontier Crimes Regulation, the general administration of which is in the hands of the Agent to the Governor-General and Chief Commissioner. He is the High Court for Baluchistan, but sentences of death passed or confirmed by him require the sanction of the Local Government, and in proceedings against European British subjects the Punjab Chief Court is the High Court.

37424. In his memorandum the Agent of the Governor-General asks that the Local Government should be allowed to frame its own budget; could you tell us exactly what that means?—At present we do frame a budget, but we send it to the Comptroller of India Treasuries; generally speaking, most of the Local Governments send their budgets to the Accountant-General, who is stationed at the headquarters of the Government; here, however, we send it to Calcutta, to the Comptroller of India Treasuries.

37425. Have you an Accountant-General here?—No; it is the Comptroller of India Treasuries at Calcutta who does everything for us; we have no Accounts Officer here at all. Under article 153 of the Civil Account Code, the Accountant-General of

the Local Government is specially precluded from making alterations in the budget; he can advise the Local Government, but can do nothing more. The Comptroller of India Treasuries, on the other hand, alters our budgets without reference to us, and very often very considerable inconvenience is caused.

37426. What do you mean by "framing your own budget"?—When it is transmitted from Calcutta, we wish that it should not be altered by the Comptroller of India Treasuries; our suggestion is that it should not be altered, provided it is within the standard limits of expenditure.

37427. Have you certain standard limits of expenditure laid down for major heads?—It is laid down, but I would not confine it to that; as long as we do not exceed our 36 lakhs we should not be interfered with, unless, of course, we do anything wrong; then they could come down on us.

37428. It is said here that two sub-divisions and so forth have come into existence which have tended to increase the expenditure on travelling allowance. Were those sub-divisions, and the settlement operations referred to, created under the orders, or with the sanction, of the Government of India?—Yes; they must have been.

37429. They were known to the Government of India?—Yes; and not only that, but the very budget in which our travelling allowances were reduced showed the increase of establishments; the Comptroller of India Treasuries passed the increase of establishments, but cut down the travelling allowances, which were necessary in consequence of that increase.

37430. Then you say that if you had acted in strict accordance with financial rules you would have got into difficulties. I take it from that, that in some way or other the financial rules were evaded?—That is so.

37431. Has that been found frequently necessary?—This is the only time that I myself have been cognisant of it; but not to have done so would have stopped the settlement proceedings at Nasirabad at once.

37432. Then it is said that "A complex system of excise administration, suitable no doubt to advanced provinces in British India, is being thrust upon this province." What does that mean?—We have to introduce a still-head duty and vend fees, instead of our present arrangement of simply putting up the excise for auction and selling it as a whole concern.

Mr. A.  
William

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*Mr. A.  
William  
20 Mar., 1908*

Mr. A.  
Williams.  
0 Mar., 1908.

It will entail either very extensive alterations of the distillery, or, more probably still, the erection of a new distillery at the cost of Rs. 50,000 or Rs. 60,000.

37433. Is that against the wishes of the provincial Government?—Yes. While quite admitting that our excise arrangements were very faulty in a way, yet, considering the consumption here, and that the general population are absolute abstainers, we thought it might be passed over.

37434. Is the matter finally settled, or is it still under consideration?—I believe it is finally settled; the only thing is, we have at present no money for our new distillery; if we could get the money we should introduce the alteration.

37435. Even against your will?—Yes.

37436. With what department of the Government of India do you deal in that matter?—With the Finance Department.

37437. When you say that this has been thrust upon you, what department of the Government of India is more particularly concerned?—It was not quite by the orders of the Government of India; the Excise Committee came here and said, "You must do this"; we said that we would rather not do it; they said, "If you do not do this, probably something worse will happen."

37438. Therefore, if any blame is to be attached in this matter, the fault is that of the Excise Committee?—It is the Excise Committee carrying out the principles of the Government of India.

37439. The Excise Committee had no authority to order you to do this or to refrain from doing that?—The opinions of the Excise Committee have been accepted by the Government of India in their Resolution.

37440. When you use this phrase, that this was "thrust upon the province," were you acting under orders from the Government of India, or were you merely doing what you think would be approved of by the Government of India?—In the beginning, it was doing what we expected the Government of India would require of us, and as the Government of India has accepted the Excise Committee's report as regards this province, it is now doing what the Government of India require us to do.

37441. But you have not received any orders from the Government of India to introduce a system of excise which you think unsuitable to the province?—I think it is contained in the report of the Excise Committee. It is understood that we have to introduce it. In fact, there are a variety of Resolutions, and it is understood that we have to introduce the system.

37442. Then you say the Government of India have condemned what is called *Mamal* salt as unwholesome, without any enquiry. Was no reason assigned for the closing of the local population of a source of salt of which they approved?—It is done in the interests of revenue. The reasons are given in the Government of India letter. The first was that earth salt is generally bad and dear, to which the answer is, that in this case it is good and cheap. The second was that an isolated factory was dangerous, to which the answer is that we have an isolated factory at Segi, which is very much more isolated than *Mamal*, which is only four miles from the sub-divisional headquarters, and when we imposed the tax on earth salt there the Government of India blessed us altogether; they said, "They notice with satisfaction the endeavours which the Local Administration is making to improve the salt revenue in Baluchistan, and I am to express the hope that it will continue to take measures to the furtherance of that end."

37443. Was this order, good or bad, imposed upon you after consultation with the Local Government?—It was first imposed upon us without consultation with the Local Government; afterwards we were unable to do anything; we made representations but they were disregarded. The principal reason for making representations was that the Marris and Bugtis, who are rather a troublesome tribe here, are extremely fond of this salt, and they dislike the sea salt which is made in Sind and which they are compelled to use, because it is very briny; they also say that the Sind salt produces boils and blains.

37444. Where are those labels affixed at the present time?—At Karachi or at Lahore; the Punjab Banking Company tell us that they send to Karachi.

37445. You think that that could be done here?—Yes.

37446. With regard to the Director of Criminal Intelligence, the Agent to the Governor-General says that he has cause for serious complaint; complaint in reference to what?—He was making certain enquiries about the character of certain people here without giving any information to the Agent to the Governor-General.

37447. Did he come down here himself, or did he send an agent?—He sent agents here.

37448. Did they communicate with the local police?—I do not think they communicated with the local police; they certainly did not with the Local Government. The Local Government is also the Inspector-General of Police.

37449. It is alleged that the Director of Criminal Intelligence sent agents down here who entered into relations with the local police officer, while the Local Government were kept in ignorance?—I do not think they even entered into communication with the local police; they made their own enquiries, *à la* Sherlock Holmes.

37450. Was that merely an infringement of the prerogative of the Local Government, or did it also in any way injuriously affect the local police administration?—What caused a certain amount of resentment in the mind of the Local Government was that apparently nobody was left in the province with any reputation at all.

37451. No inhabitant of the province?—I think it went beyond the inhabitants.

37452. The officials of the province?—Yes.

37453. Allegations were made against their efficiency?—And worse than that, I believe.

37454. Their honesty?—I think so.

37455. Are you sure of this?—I only know what Sir Henry McMahon told me, but I am sure that the Inspector-General as Head of the Police was not referred to.

37456. When circular letters are sent down, which have no reference to anything affecting the province, what action is taken by the Local Government about them; are these circulars sent on to the local officers to enquire whether they have any information, or is a reply merely sent to the Government of India that, "This circular has no reference to any state of things existing now"?—I think they fairly often come on to me; I do not think they go much further. If it is for an opinion on a Bill, I generally reply that the matter has no relevance to this province, because the Act which the Bill is to amend is not in force here.

37457. It merely entails your sending one letter back to the Government of India?—One letter from the Government of India to the Agent to the Governor-General, and one letter from the Agent to the Governor-General in reply.

37458. The Agent to the Governor-General says that officers have, as a rule, sufficient knowledge of the vernacular; what does he mean by the word "sufficient"?—Sufficient to speak with the ordinary people that they have dealings with.

37459. Can they read or write the language as a rule?—The Pushtu language is not, strictly speaking, a written one.

37460. Are there a great number of languages here?—I here are; I do not know that our officers can read or write; certainly not write very much, but for conversational purposes they know all that is required.

37461. Are there many petitions received in the vernacular?—Yes; practically all vernacular petitions are in Hindustani.

37462. Can the local officers read Hindustani?—They can read sufficiently well to know whether the petition writers' hand-writing is being correctly read to them or not.

37463. Practically for all written communications in the vernacular they have to trust an interpreter?—Yes; a very large number of petitions, of course, are received in English.

37464. Is that on account of the necessity of communicating direct with the superior officer?—No; I do not think so.

37465. The petitioner cannot write in English himself?—The petitioner never writes the thing at all; he goes to a petition-writer, who writes in Urdu or in English, as the fancy takes him; anonymous letters are mostly in English.

37466. It is stated that the number of the *cadre* here is, and has been, deficient. Does the deficiency of the *cadre* sometimes do away with the desirability of selection when officers have to be appointed to a post?—The selection is made by the Government of India, not by this Government at all.

37467. Has this Government no power to appoint or transfer or promote its own officers?—Not as regards the higher class of officials down to Assistant Political Agents.

37468. That is to say, officers of the Imperial Service?—Yes; the whole thing is done by the Government of India in Calcutta and Simla.

37469. Have they any knowledge of the local circumstances here?—That largely depends on the *personnel* of the Foreign Department for the time being; at present there is an officer in the Foreign Department who has served in Baluchistan. I think he is officiating as Deputy Secretary at present.

37470. It would be a matter of chance whether he had any knowledge of local circumstances or the fitness of the officer for the post for which he is appointed?—Quite a chance: he has only just gone there.

37471. Are officers often sent to you by the Government of India who have no knowledge of the frontier?—Sometimes.

37472. How long does it take them to learn their work?—As long a time as they can manage to stop; but I should think a couple of years.

37473. Transfers in this province are very frequent?—Yes.

37474. As soon as the frontier officer has become of any use to the province he is removed elsewhere?—Yes.

37475. Is that detrimental to the proper administration of the province?—Yes.

37476. You think the Local Government could be trusted to do its own work in that particular?—That goes rather further; as much as we have asked for is about posting, and that we should be consulted before an officer is sent here.

37477. Has the Foreign Department, as a department, any knowledge of administrative matters?—Its knowledge must be made up of the knowledge of its Secretaries.

37478. You were in the Foreign Department?—Yes.

37479. Has it any knowledge of administrative matters?—I went there from being Deputy Commissioner at Lahore.

37480. It depends entirely upon the *personnel*?—Exactly.

37481. The Local Government can transfer tahsildars?—Yes.

37482. Can it appoint them?—Yes. Some are appointed from among the clerks and some from among the naib-tahsildars.

37483. Are they ever appointed direct?—I will not say that they never are, but I cannot recall a case.

37484. In the opinion both of yourself and Sir Henry McMahon, the *jirgas* in this province may be looked upon very much in the light of what is called a *panchayat* down country, for all practical purposes?—Yes.

37485. (*Sir Frederic Lely.*) Are you of opinion that your examinations in the vernacular are a thoroughly successful test of a man's proficiency in the colloquial use of the vernacular?—They are bound to vary a great deal with the examiners; it is scarcely possible to be certain that the examiners will always apply an absolute standard.

37486. Are the examinations always held at Quetta?—Practically always, unless a special Board is convened; for instance, if all the candidates for an

examination are at Sibi, if we can raise a special Board there we do so, rather than bring them all up here.

37487. One witness here rather implies that the use of English is rather pressed upon an office?—I do not think it is; in some offices perhaps there is too much English used, but as regards the particular statement that English-knowing is a *sine qua non* for the position of a *sharistadar* I have certainly known *sharistadars* in the Chaigai district, and in Khelat, who have not been English-knowing, and I am at present in correspondence with another district where the Political Agents consider that the *sharistadar* should be English-knowing, and where I am disposed to consider that he need not be.

37488. Is not the subordinate officer who does not know English rather an exception?—No; the bulk of them, certainly the naib-tahsildars, do not know English.

37489. Is there no tendency to unduly press the use of the English language in official work or in intercourse with the people?—Certainly not among Executive Officers. Possibly in the English officer's own office there may be a little tendency that way, but not among the Executive Officers—the Sub-Divisional Officers and the *Tahsil* Officers.

37490. Would the District Officers generally of their own accord conduct their proceedings in the vernacular, or would they rather tend to use English?—I went out in a district the other day, and I really do not know whether the tahsildar knew English or not.

37491. Does that apply to the average officer?—I think so.

37492. Is not the practice to be deprecated of insisting on English or even encouraging the use of English?—Certainly.

37493. You give *takavi* on occasions in this province. Who has power to make grants?—Political Officers up to a certain amount; we have just extended the rules by which Sub-Divisional Officers can make grants.

37494. It is stated by one witness that the Sub-Divisional Officer cannot make grants of *takavi*?—Yes; but we have just made rules by which they will be able to make grants up to Rs. 500.

37495. Are the arrangements such as to allow of the grant of *takavi* without any formality and promptly?—Yes; there is no undue formality; of course one has to look out for the security.

37496. Is each village represented in a *jirga*?—Hardly each village; it is more the tribe or sect than the village.

37497. They are appointed by whom?—It depends what sort of *jirgas* you are referring to exactly; if the Political Agent makes a case over to a *jirga*, very likely the members would be of the same village as the inhabitants belong to who bring forward the case.

37498. For instance, a civil dispute would be handed over to a *jirga* of the village?—Of the village or the neighbourhood, or you may say the vicinity.

37499. Who would appoint them?—The Political Agent himself.

37500. From his knowledge of the village?—Yes; either that, or on the application of the parties.

37501. Would the parties be consulted in the matter? Would they have the power to object to any particular individuals?—They have no legal power to object, except in criminal cases, but the Political Agent would undoubtedly give attention to any objection put forward.

37502. The whole thing is regulated really by custom rather than by formal laws?—It is provided for in the Frontier Crimes Regulations.

37503. Are full provisions to be found there?—Practically, yes.

37504. Do these *jirgas* generally give decisions that give satisfaction to the people?—Yes; I think so. Then there is the big *jirga*, what is called the *shahi jirga*; that is really composed of the big men of the place; it meets twice a year, once at Quetta and once at Sibi; it tries really important cases.

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37505. That represents the big men of the province, not of the villages?—If I were the Political Agent and an ordinary civil dispute were brought to me, I should say, "This must go to *jirga*," and I should appoint a *jirga*; but if it was a serious case between big men I should say, "This must go to the *shahi jirga*" that is really practically composed of the heads of the clans of Baluchistan.

37506. Then this higher *jirga* is not higher in the sense of being higher in the scale of Courts, so to speak?—It is not a Court of Appeal; it is a special jury, not a common jury, composed of men of a higher social rank.

37507. There is no attempt at forming a superior *jirga* containing representatives of the different villages?—This is more than the representatives of different villages; it is about 70 of the biggest men in Baluchistan, taken from all over the province.

37508. Is it understood to represent the villages, or only the higher classes of the community?—I do not quite know what is meant by the higher classes; there are the different tribes; there are the big men of the tribes; the principal tribesman is only *primus inter pares*; he is not of a bigger class than his tribe; he is the head or father of the clan, but he is of the same caste.

37509. (Mr. Dutt.) The Local Government desires to have the power of sanctioning its own budget, supplying a copy to the Government of India, but with regard to purely imperial revenues and expenditure the Local Government desires to adhere to the present practice?—We do not mind about that; there is practically nothing in it.

37510. In that case it comes to this, that the budget should be made in two parts, one for imperial expenditure and income, and the other for provincial expenditure and income?—In practice it would not really come to that. Imperial expenditure is practically the pay of the Agent to the Governor-General and of the Imperial Services, that is all; the Imperial receipts are only from loans and *takavi*.

37511. You have no divided heads of revenue?—No: such small things as we are able to raise all go to ourselves.

37512. Have not the terms of your *quasi*-permanent settlement recently been altered? Instead of having to meet all provincial expenditure, you have to meet only half now?—Yes.

37513. You do not think that even that is quite satisfactory?—I do not; because, if our increased revenue is *nil*, it does not matter; our increased expenditure may be *nil* or twice *nil*.

37514. You desire that all increase in expenditure should be met by the Government of India?—I do not say that; I say unforeseen expenditure. For instance, take the Gazetteer; we never knew at the time the last *quasi*-permanent settlement was entered into that we should be saddled with a 3-lakh Gazetteer.

37515. So that if the Government of India met all such unforeseen expenditure and also all expenditure incurred under the orders of the Government of India, that would satisfy this Local Government?—Quite.

37516. You say there is only one municipality in Baluchistan, at Quetta. Who is the Chairman of that municipality?—The Political Agent. The Assistant Political Agent is Vice-Chairman.

37517. Is it constituted by law?—Under the Quetta Municipal Law of 1896.

37518. Is the revenue mostly octroi duty?—Very largely.

37519. Is the budget submitted to any higher authority, or is it passed by the Committee itself?—It is submitted to the Agent to the Governor-General; it is not passed by the Committee.

37520. Are the members elected, or all nominated?—They are all nominated.

37521. Are they the principal residents of this place?—Yes.

37522. Is there a *jirga* in every district?—Not a standing *jirga*.

37523. Do these *jirgas* meet in a district whenever there is occasion, or do they meet at stated periods?—

They do not meet at stated periods; they are not a standing body at all. A person presents a petition to the Political Agent, and he appoints a *jirga*.

37524. It may be a *jirga* of the whole district, or only of the particular village?—He can appoint it from anybody in the district, but generally it is appointed from the neighbourhood.

37525. Would it be possible to have a sort of standing *jirga* for the whole district; would it be useful in judicial work, and also in the way of helping and advising the administration?—I should doubt it, personally.

37526. With regard to the appointment of an Extra-Assistant Commissioner in a grade above the lowest, you desire that the Local Government should have complete power without the concurrence of the Government of India. Why do you say a grade above the lowest?—Suppose, for instance, we had a person in a clerical appointment who was drawing pay higher than that of the lowest grade of Extra-Assistant Commissioner; if he is made an Extra-Assistant Commissioner, he has to go down to the lowest grade of Extra-Assistant Commissioner and lose his pay, unless we get the sanction of Government. It is only to meet cases of that kind.

37527. If you want to appoint him in the lowest grade, you have the power to do so without reference to the Government of India?—Quite so.

37528. Are the local limits of the jurisdiction of Courts lower than that of the Judicial Commissioner fixed by the Government of India, or with the sanction of the Government of India?—Yes; they require the previous sanction of the Governor-General in Council.

37529. Are they permanently fixed, or are they frequently changed?—They are not frequently changed, but there have been changes.

37530. Are those changes often necessary?—They are quite infrequent, but they are things, whether frequent or infrequent, that the Local Government might be trusted to do on its own responsibility.

37531. Would it not be tantamount to the change of a district boundary?—Yes; except, perhaps, that it is less important.

37532. In any case those references do not give the Local Government very much work?—Not this particular one; it is only the aggregate.

37533. At present disforestation of all reserved forests requires the sanction of the Government of India and it is suggested that the Local Government might be empowered to pass orders; would you prescribe any limit as regards the area within which the Local Government should have that power?—I hardly think it is necessary.

37534. It has been suggested to us in other provinces that, within certain limits of area, the Local Government might have the power to pass orders, but that where a larger area is to be disforested, it might be desirable to obtain the orders of the Government of India; would you like to draw any such distinction?—I hardly think so; it is the Local Government that afforests areas, and I do not see why it should not disafforest areas.

37535. Are the forests here of great importance?—Not very, in Baluchistan; there are some pistacio and chilgoza forests, also juniper, but on the whole we are badly off for forests; there is little chance of any land being disafforested, except it might be for political reasons.

37536. What is the land revenue system in British Baluchistan?—Some land is under settlement, but in some we take *batai*. Quetta-Pishin is under settlement, but generally we take *batai*.

37537. Where it is settled is it settled for a number of years?—Yes. I think it was ten years in Quetta; we are just starting it; the Pishin term was 20 years, and Quetta, which was the first, was ten years.

37538. In both cases was the revenue collected by the tahsildars?—Yes; the *maliks* are responsible for taking the revenue of the village to the *tahsil*.

37539. Is there a *malik* in each village?—One or more *maliks*.

37540. Has the tahsildar got a treasury of his own?—There is a treasury in the *tahsil*.

37541. Has the system worked fairly well?—I think so; we pitch the cash assessments low in order not to frighten the people.

37542. Is the *batai* system working fairly well?—I should say so; but where I have been Political Agent (which is in Quetta-Pishin) it is only over a very small area: it wants constant supervision if you are going to have *batai* all over a district.

37543. For large areas the other system would be more suitable?—I think so: it is more convenient for the zamindar; they have not got to keep the grain waiting before somebody goes out to divide it.

37544. Is the public feeling generally against the *batai* system?—I would not say that, because it is customary, and people generally agree to what is customary.

37545. The only hardship they are put to is that they have to wait for some time till the measurement is made?—They may; as a matter of fact, from the District Officer's point of view, he is pressing them to get it into the grain heaps and *batai* it as quickly as possible; it gets blown about and the birds eat it if you do not hustle them.

37546. If the produce is good they pay a good revenue, if the produce is poor they pay a poor revenue; from that point of view, is it not rather an advantage to the cultivators?—Yes; it naturally conforms to the actual produce, but at the same time it may be very inconvenient; for instance, if one does not actually take the grain on the threshing floor, if one says, "you must bring it to a particular spot"—of course it is inconvenient because you have to take bits from every village; that very much affects the price.

37547. (*Mr. Hichens.*) Has the Agent to the Governor-General the powers of a Local Government?—I think he has all the powers of a Local Government.

37548. Has he the same powers as the Lieutenant-Governor of the Punjab?—Practically so.

37549. Where are his powers laid down?—He is a Local Government and has the powers of a Local Government. In whatever Act "Local Government" is mentioned, that Act includes the Agent of the Governor-General, assuming that the Act has been extended or applied to Baluchistan; it is not in one Act.

37550. One witness states that for the purposes of Baluchistan the Foreign Department is the Local Government; that, I gather, is not quite the case?—It may be in one or two extraordinary instances, but I cannot recall them. The Agent to the Governor-General is to all intents and purposes the Local Government. As to the transfers of officers, most Local Governments have their own *cadre* and transfer officers, as they please; we have not our *cadre*, but that is not a statutory power of the Local Government.

37551. You administer both British territory and Agency territory. Is there any difference between them?—Practically none; there is a little inconvenience; you require two sets of notifications; for instance, the officer who is a Political Agent at Quetta is also Deputy Commissioner of Pishin; he practically runs the two as if they were all British territory, but if one wished to raise nice points of law about the matter it would be easy to do so.

37552. The only essential difference is the title?—Yes; if that is an essential difference.

37553. The Agency territory is leased, I understand?—Yes; they are perpetual leases with full jurisdiction.

37554. That is the difference, and the only difference?—Practically the only difference.

37555. What is the extent of the area of the administered territory in comparison with the British territory?—The Agency territory is the bigger of the two; but it is so much administered in the same way that it does not occur to anybody to consider the proportion.

37556. How many Native States are there under your control?—Under the Agent to the Governor-General there are only Kalat and Las Bela.

37557. You control the Local Funds, what do they consist of?—There is the Municipal Fund of Quetta and then there are certain Local Funds that are called

Excluded Local Funds; they would practically be Municipal Funds if the places to which they relate were municipalities; they are raised in small towns and bazaars in the same way—mostly octroi.

37558. Is there nothing at all corresponding to a District Fund?—No; we shall have one, I expect, for Nasirabad. We have not got it yet.

37559. Is it in contemplation to make a District Local Fund there?—It will be a *tahsil* Local Fund because Nasirabad is only a *tahsil*.

37560. Is it proposed to go on the model of other provinces?—We have hardly settled that yet; we are only framing the law at present.

37561. You will take power to impose a cess?—Yes.

37562. Will this cess be of a fixed amount?—It is not more than one anna in the rupee of the revenue.

37563. You would not give any power of varying it to any local authority that might be constituted, in the same way that a municipality has power to vary an assessment rate?—No; this Regulation only authorizes the levying of the cess; it says nothing about the authority by whom it will be disposed of.

37564. Is it proposed to introduce that system elsewhere?—I think not.

37565. Are the present Local Funds utilized in the smaller towns where they are collected for sanitary purposes and so forth?—Yes.

37566. Do they cover roads?—To a certain extent—certain roads; other roads are repaired from other funds; there are civil works under Civil Officers, and main roads under the Public Works Department Officers.

37567. Is a large amount spent by the Government here on local work such as education?—It is not a very great deal; between Rs. 30,000 and Rs. 40,000 on education. Education is in a very backward state here.

37568. (*Mr. Meyer.*) You were about three years in the Home Department; can you tell us whether you agree with what has been said occasionally that the Home Department interferes with the Local Government unduly in the matter of details?—I may be prejudiced, but I should not have said so.

37569. Speaking generally, the Home Department exercises the control which under present arrangements a Central Government must exercise?—Yes, I think so; it is generally understood that it is very much better not to interfere with Local Government.

37570. It has been alleged as an instance of undue centralization that the Home Department practically imposes a uniform European Schools Code over India, that is to say, that the southern provinces had to adopt the Bengal School Code?—That was actually done after I left the Home Department.

37571. Are you prepared to say whether that was expedient or not?—It does not affect us in this province, and I do not know that I have ever had any need to go into the question.

37572. For practical administration a Local Administration generally stands on a lower footing than a Local Government?—It is generally a Chief Commissioner that is called a "Local Administration," and a Governor or Lieutenant-Governor is called a "Local Government," but the General Clauses Act makes no differences between the two.

37573. In this province the Head of the province is the "Agent to the Governor-General"?—Yes; and Chief Commissioner. He is Chief Commissioner in British Baluchistan and Agent to the Governor-General in the other part of the territory. British Baluchistan covers an area of 9,476 square miles; Agency territory covers an area of 44,345 square miles.

37574. He is directly subordinate, practically, to the Foreign Department of the Government of India?—I am not quite sure; I rather think that the Government of India recently issued orders that as regards certain matters we should go to the Home Department.

37575. With an ordinary Local Government, such as the Punjab, it cannot be said to be under any one



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department of the Government of India ; it is concerned with the Home in certain matters, and with the Financial Department in other matters, and so on, but the position used to be, in reference to this province, that it was under the management of the Foreign Department?—Yes.

37576. You have told us that the Foreign Department even transfers and posts all your subordinate officers?—Yes.

37577. That being so, is it accurate to say that the Agent to the Governor-General here stands on the same footing as the Lieutenant-Governor of the Punjab?—I especially drew that distinction about appointments, and as regards the rest, the action generally taken by the Foreign Department is to refer any matter of business that comes up to it to the department which would dispose of it if the matter occurred in British Territory, and if it had been referred by a Local Government.

37578. But in practice, does your Administration not refer to the Foreign Department a number of matters which the Government of a major province would deal with itself?—I am inclined to think not.

37579. You have a financial settlement of a sort, but it is really quite different from an ordinary provincial settlement?—We are a deficit province; that is admitted; that is the root difference.

37580. The ordinary province is assigned a certain amount of the revenues levied in the province, and the rest goes to the Government of India for imperial purposes; here, you get all your revenues, and only bear a portion of the expenditure?—Quite so; but at the same time if we had a revenue of 50 lakhs, instead of a revenue of 13 lakhs, we should be treated in the same way as in other provinces.

37581. For the purpose of giving the Agent to the Governor-General certain financial powers in different branches of expenditure, certain items are classed as *quasi-provincial*; but in the Government of India accounts they all figure as Imperial?—I do not know very much about the matter.

37582. That being so, your provincial expenditure and receipts materially affect the surpluses and deficits of the Government of India?—They must, because we are invariably a deficit province.

37583. Therefore the Government of India must surely scrutinize your budget figures?—I entirely agree. I have suggested that the budget should be examined by them.

37584. That is not quite the suggestion made by the Agent of the Governor-General; he suggests that you should merely send copies of the budget to the Comptroller of India Treasuries and to the Government of India, and that the Local Government should have full liberty to draw up its own figures?—But that is subject to the explanation which is given, namely, that "at the same time precautions are taken to prevent the Local Government from taking an unfair advantage of the liberty thus accorded to it." If, on getting a copy of our budget the Comptroller of India Treasuries saw that we were spending all the money on Public Works, or spending it in an unthrifty manner, he would have the right to complain, and we should be taken to task.

37585. It is not merely that money might be wrongly applied; it is a question of the accuracy of the estimates for accounts purposes and the budget?—I think it will be found that, generally speaking, our estimates are more accurate than the figures of the Comptroller of India Treasuries.

37586. You have mentioned one or two matters in which you say the Comptroller of India Treasuries has cut you wrongly, but taking your budgets as a whole, as drawn up by you and as finally passed by the Government of India, are your budgets more accurate than those finally passed?—I fancy we should find that that was so, on the whole, over a series of years.

37587. Will you give me the figures for three or four years?—The figures show that after eliminating (1) cases in which alterations were made by the Comptroller, India Treasuries, based upon orders passed after the submission of our budget and of which, therefore, we could not be cognisant in framing our budget, (2) cases in which the alterations

merely amount to re-arrangement under different heads, and (3) cases in which we have actually had to restrict our expenditure in consequence of the Comptroller of India Treasuries' retrenchments, we have been more accurate in 22 instances and the Comptroller of India Treasuries, in nine, during the last five years.

37588. As regards the cutting down of travelling allowances and so forth, when you sent the budget to the Comptroller of India Treasuries, did you explain that there was a new and abnormal element of expenditure introduced for the year in question?—The budget itself contained the increased establishment; the Comptroller of India Treasuries passed the increased establishment, but cut down the travelling allowances; that was as regards several items; as regards one item of Rs. 2,000 out of the Rs. 6,000, we stated definitely that it was based on the actual allotments which we had had to make in the previous year. Whereupon he cut us down.

37589. Meaning, I suppose, that the allotment of the previous year had not been fully spent?—Of the previous three years. In the actual previous year we had spent more than the allotment; we had had to make a re-appropriation.

37590. You had had to make an additional allotment?—Yes, and we stated that in the "remarks" column.

37591. One of your objections is that after the Comptroller of India Treasuries has altered your figures he does not send them back again to you?—Yes; we are at a considerable distance from the Comptroller of India Treasuries.

37592. You are aware that the Government of India, in the interests of accurate estimating, alters the budget figures of the large Local Governments?—Yes.

37593. You would hardly claim for yourself a power greater than that given to the Government of Madras or the Government of Bombay?—Not at all; probably the greater Governments are asking to be relieved from that.

37594. With regard to the distillery arrangement you refer to, the Excise Committee pointed out that the bulk of Baluchistan was inhabited by a teetotal population, and that nothing fresh need be done there; they said all that was necessary was to introduce improved arrangements into certain centres, cantonments, and railway stations?—Not quite that. The distilleries in Baluchistan are, one at Quetta, one at Loralai, one at Fort Sandeman, and one at Nasirabad; the distilleries at Quetta, Loralai and Fort Sandeman are necessary, because Loralai and Fort Sandeman are a very long way off the line of railway, and they all have cantonments and are the headquarters of the districts, and the officials and their families certainly consume a certain amount of liquor, which the natives of the country do not. Nasirabad, on the other hand, is close to Sibi, and there the Muhammadan population certainly drinks a great deal more than I have found anywhere in India. When we took over Nasirabad from Kalat, there were no less than 40 drinking shops in the *tahsil* of that Muhammadan State; that number we reduced to 14. We wish to retain that distillery at Nasirabad, but it is an out-still, and therefore has to be done away with, and Sibi has to be supplied from here. The out-stills at Loralai and Fort Sandeman are allowed to remain. There is a certain amount of inconvenience in supplying Sibi from here.

37595. Your chief grievance is with regard to the arrangement at Quetta?—In that is involved the destruction of the distillery at Nasirabad, because we shall now have to supply Sibi from here.

37596. Quetta was always a large cantonment, and it is now very much larger?—It is increasing.

37597. The Excise Committee also pointed out that excessive drinking took place mostly in cantonments?—I do not remember their pointing that out to us.

37598. And therefore they urged that it was necessary to adopt special precautionary measures in cantonments. This distillery system of yours is an extremely primitive one?—Quite so.

37599. You have no guards over the distillery?—No; because we are not concerned with that.



37600. You will perhaps admit that the new system is the better one?—It is less primitive.

37601. It will not merely tend to greater temperance, but will give larger revenue?—I do not see how it can lead to greater temperance, because the population here is teetotal.

37602. There is the cantonment population?—In the cantonment actually there are no liquor shops.

37603. Where do they drink then?—In the city,

37604. Then it comes to the same thing; the cantonment people drink?—Yes. I do not see that it will give us larger revenue; the Excise Committee told us that it would give us a large revenue; I said, "Will you guarantee that," and they said, "No."

37605. However, your chief grievance is not so much the matter of principle as that you have got to expend Rs. 50,000 or Rs. 60,000 in building a distillery, and you do not quite know where the money is going to come from?—That is so to a considerable extent; it is putting ruffles on us when we have not got a shirt, to introduce this highly civilized arrangement.

37606. Is not salt an imperial matter?—No; it is provincial here.

37607. But speaking for India as a whole, it is an imperial matter, especially under the control of the Government of India?—Quite so.

37608. Did not the former Agent to the Governor-General start the earth-salt experiment at Nasirabad off his own bat?—He started it after we had consulted the Collector of Customs in Sind, after we had consulted the Commissioner in Sind, and after we had consulted the Commissioner of Salt Revenue, who is the Executive Officer of the Finance Department of the Government of India.

37609. You did not consult the Finance Department of the Government of India itself?—We consulted the Commissioner of Northern India Salt Revenue, and not only that, but we had the benediction of the Government of India in the Foreign Department on our developing our salt revenue.

37610. In this particular place, Nasirabad?—It was in a worse place, Pishin, which is far more isolated, and in which the earth-salt is certainly not of the quality of the Nasirabad salt.

37611. Anyhow, Bombay complained that this earth-salt was likely to endanger their position in Sind?—I do not think they did; they were so extremely thoughtful that they blamed us for introducing a bad and dear salt; they said that earth-salt was bad and dear.

37612. Did they not say that they had suppressed earth-salt in Sind, and now they would have it coming in from Nasirabad?—What the Government of Bombay said was that they had suppressed earth-salt in Khairpur and Bahawalpur, and as those were both Native States in which it was impossible to have any control over the salt administration the circumstances were essentially different from a Government factory in Nasirabad.

37613. Then the matter was taken up, and the Commissioner of Salt Revenue reported very strongly in favour of closure of your works?—But was there not some amount of secret history about that?

37614. I will not press the point. You speak of an expenditure of 3 lakhs upon Gazetteers which was imposed upon you by the Government of India; was not the bulk of that expenditure incurred on a series of district and State Gazetteers?—I think that is so.

37615. These district and State Gazetteers give you information which has never been compiled before?—I quite agree that it is extremely useful; my only point is that to insist upon our meeting that 3 lakhs out of our growing revenues was, to put it mildly, a hopeless expectation.

37616. Was not this idea of provincial and state Gazetteers originated by one of your own officers, and approved by the then Agent of the Governor-General?—I think it was considerably resisted at first; it was before my time here, but I have an impression that it was resisted; at any rate, the proposal to throw it on to the provincial revenues was resisted.

37617. And triumphantly resisted as far as you were concerned?—Eventually, yes.

37618. (*Sir Steyning Ederley.*) You say that, when the Comptroller of India Treasuries makes these cuttings, money has to be found by more or less inconvenient re-appropriations; therefore, if the figures at the end of the year show that the estimates are rather more accurate than your original ones, what it proves is that you have lived throughout the year on an inadequate fund to keep within your total?—No; because one can always cut Public Works; the Public Works are being starved absolutely.

37619. The effect that the final figure approximates more nearly to the figures of the Comptroller of India Treasuries than to your own is therefore obtained at the expense of Public Works though necessary, and does not prove that there has been any real benefit to the province or any real accuracy of estimating?—I should not say so.

37620. Suppose the Comptroller said that he never interfered unnecessarily and so on, would you be inclined to agree?—Not as at present advised.

37621. You do not think he would be the better judge about that?—I do not think so.

37622. Presumably if the Home Department were asked if they ever interfered unnecessarily they would say "No"?—I do not know; I do not make any reflection on the Home Department.

37623. But within limits they would probably say "No." Are they better judges than the people on whom they operate. I only put the general question?—It is rather difficult to answer it generally.

37624. If you had to form an opinion on a point of that sort, you would, of course, enquire of the Home Department, but you would also enquire of a great many people besides the Home Department?—Certainly.

37625. You suggest that proposition statements should be checked in Baluchistan; who do you propose should do that?—The authority which has power to sanction the revision under consideration.

37626. That might possibly be the Secretary of State?—Yes; but it is in fact very often the Agent of the Governor-General, sometimes the Revenue Officer.

37627. You do not think that audit verification is essential in such a case?—Not in such a case as that; I have never known of one being altered here.

37628. How is legislation supplied for the province?—As regards Agency territories, by notification of the Foreign Department; as regards British Baluchistan, under the Scheduled Districts' Act.

37629. Here, the unit is not so much the village as the clan?—It depends for what purpose; for revenue purposes it is the village. For administrative purposes it is more the sub-division than the clan.

37630. When you want to deal with the people do you go to the Head of the clan or to the Head of the village?—You would go to the principal men in the district.

37631. (*Chairman.*) You have said that there is a distinction between a Local Government and a Local Administration. Does that technical difference of nomenclature make no difference to the difficulty which reference to the Government of India in minute details imposes upon you?—I think not; the only difference I know of is that Governors and Lieutenant-Governors are generally called Local Governments; it is a terminological difference.

37632. It makes no difference whether a Local Government or a Local Administration has to go to the Government of India in matters of detail?—I do not think it makes any difference. I am not aware that the Central Provinces differ in any respect from the Punjab.

37633. You have a Public Works Secretary in the person of the Officer Commanding the Royal Engineers. There is a Civil Engineer also. Does he, when a programme of works is drawn up, submit that to the Deputy Commissioner in the district?—It is largely prepared in the first place by the Deputy Commissioner.

37634. Has the Deputy Commissioner any right to say that this or that work should have priority of completion?—They are always consulted, and so is the Revenue Commissioner.

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37635. But has he any right to say that this or that work shall be completed first?—He has not got the final word; that would be with the Agent of the Governor-General.

37636. When the budget for each district is made out and completed, has the Deputy Commissioner the right to say to the Executive Engineer or whoever it is, "This is the work which you shall commence," or "That is the work which you shall commence," or does the Executive Engineer choose out of the money which he can spend what works shall be begun?—The Deputy Commissioner has no absolute right to lay down to the Executive Engineer the order in which he should carry out works. He is, of course, fully consulted on such questions.

37637. Has the Local Government much correspondence with the Cantonment Magistrate?—Not a very great deal.

37638. Who conducts what correspondence there is?—The Secretary to the Agent of the Governor-General.

37639. Does that take place from the point of view of the Agent of the Governor-General being a Political Officer, or his being the Chief Commissioner?—It is more with reference to his being Chief Commissioner, or the Local Government.

37640. Are these Excluded Local Funds raised by cess, or by taxation?—Largely from octroi receipts and from gardens, and things like that.

37641. Under whose direction are they spent?—That of the Political Agent of the district, as Deputy Commissioner.

37642. On what are they chiefly expended?—On roads, hospitals, gardens, sanitation—general local objects.

37643. With regard to the election of officers, there is some considerable difference between this province and others, in that you are all officers in the Political Service. Is there any period for Political Officers at which selection begins. Does a Political Agent begin as an Assistant Collector?—Very likely he would not begin here; they are first probationers in the Political Department and they generally undergo training either in the Punjab or the North-West Frontier Province.

37644. Then he comes up here as an Assistant Political Agent; a vacancy for a Deputy Commissioner or a Deputy Political Agent occurs; should the senior man be promoted as a matter of course?—Generally speaking, we are supplied from elsewhere.

37645. Suppose you had power to appoint your own officers here out of your own *cadre*, would you promote the senior officer, or would you select the most fit officer?—It would depend a good deal whether there was a great difference.

37646. Ought the process of selection to commence at the stage of Deputy Commissioner?—It certainly ought to be enforced there; if a man is not fit to be Deputy Commissioner he ought not to be made Deputy Commissioner.

37647. As a matter of fact, are officers passed over?—I have known officers reduced in status.

37648. As an exceptional mark of displeasure?—Yes.

37649. Is that just?—Yes; I do not think it was expedient; because if one has a man of 25 years' service serving as an Assistant Collector he cannot be very useful.

37650. Do you think that an officer so superseded should be retired?—Yes.

37651. Mention is made of the transfer of Baluchistan railway lines for various purposes to the Bombay Government by the Government of India. Was the Local Government consulted before that was done?—Orders were issued by the Government of India in the Home Department.

37652. This Government was not consulted?—No.

37653. You are quite sure of that?—The Commission did not come here.

37654. Did the Government of India consult this Government before they issued these orders?—To the best of my belief they did not.

37655. (*Mr. Hichens.*) Does all correspondence with regard to the administered territory go from the Agent of the Governor-General to the Foreign Office who, acting as a post office, send it on to the department concerned?—I have an impression that recent orders came from the Foreign Department that in such matters we were to address the other departments of the Government of India as if this Agency territory was British territory.

37656. (*Mr. Meyer.*) What are you going to do with Nasirabad in the matter of Excluded Local Funds?—We have a draft of a Land Revenue Regulation, and one of the clauses in the draft provides for the levying of a cess of one anna in the rupee for local purposes.

37657. That is to say, it is to be a rural Board?—There is no question about a Board at all.

37658. It will be as in Burma; they levy a cess there, but the Commissioner administers it?—I think that is so.

37659. Some of these other Excluded Local Funds are practically working in the cantonments?—That may be so in the case of Loralai and Chaman.

37660. Might you not develop, or pave the way for, local self-government by associating committees with the District Officers in the administration of these Excluded Local Funds?—As regards that, we say "The question of introducing legislation for smaller areas such as Sibi is now under consideration."

37661. Does that mean that you are going to develop these Excluded Local Fund areas into embryo municipalities?—We are thinking of making them like what are called "notified areas" in the Punjab and Sind.

(*The witness withdrew.*)

DIWAN GANPAT RAI, C.I.E., was called and examined.

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37662. (*Chairman.*) You are an Extra-Assistant Commissioner?—I am. I have been Extra-Assistant Commissioner since 1890. Since 1901 I have been in charge of the Sibi Sub-Division.

It will tend to the reduction of office work and saving of time if Sub-Divisional Officers are given extended powers relating to the revenue matters noted below:—

(a) Suspensions of revenue. In the case of severe or continued calamity to harvests and when assessments are paid in cash, Sub-Divisional Officers should be empowered to grant suspensions of revenue up to a certain amount, and also the amounts due on account of grazing tax. They should send at once a report to the District Officer, who may cancel or modify the orders as to him seems fit.

(b) Sub-Divisional Officers should also be empowered to grant advances under the Agriculturists' Loans Act for the purchase of bullocks and seeds in times of scarcity or

other calamities. This will save much time, and enable the people to set to their work without delay.

(c) Sub-Divisional Officers should also be permitted to suspend recoveries of instalments of *talavi* advances, sending reports to the District Officer.

Similarly Sub-Divisional Officers may be authorized to incur expenditure on civil provincial works within the sanctioned allotment without further reference to the District Officer. In respect to Municipal and Excluded Local Funds, Sub-Divisional Officers who are administrators of such funds should be permitted to incur expenditure up to budget estimates and without any other reference to the District Officer. The Executive Officers (Europeans) have not sufficient opportunities for personal contact with the people. The reason of this is that they have got very heavy office and political case work. If an additional assistant is given to the District Officers in Baluchistan for headquarters work (and the former

should not be in charge of any sub-division), and if extended powers are given to Sub-Divisional Officers, District Officers will be relieved of much routine work, and will thus have time to meet the people of the district.

Transfers of District Officers and other European Assistants are unnecessarily frequent, chiefly in the Sibi District.

The Sibi district is not yet advanced for creation of Advisory or Administrative Councils. The present *jirga* system is practically doing the work of these Councils, and is best suited for Baluchistan.

37663. Do you reside in your sub-division?—It is the headquarters sub-division.

37664. Are you in charge of the whole sub-division, or in charge only of certain subjects of work such as revenue?—I am in charge of the sub-division so far as concerns revenue, judicial, and political cases.

37665. Can you suspend any revenue?—No.

37666. Therefore you cannot remit revenue?—No.

37667. Ought you to have powers to do that?—I think so in the interests of the people and to save time.

37668. What limit of power ought you to have?—There should be one uniform system for suspension for the whole district; up to Rs. 50 in each individual case, from and Rs. 500 to Rs. 1,000 in all.

37669. Ought you to have any power to remit?—I think so; half of the power of suspension.

37670. Can you grant advances under the Agricultural Loans Act?—No.

37671. Ought you to have power to do that?—Yes; say, up to Rs. 2,000.

37672. Who has power in this province to grant *takavi* advances?—The Political Agent has some powers up to a certain amount, and beyond that he goes to the Commissioner.

37673. Does the Political Agent carry the cash about with him?—Whenever he goes on a long tour he does; but only for his office expenses, not for advances.

37674. You suggest that you should have power to suspend the repayments of *takavi*?—Yes, up to one year.

37675. Up to any amount?—They have once been sanctioned, and now it is a question of recovery; the amount would be fixed in that way.

37676. Have you any power as Assistant Commissioner with regard to civil works?—None.

37677. Can you sanction any works?—No. I can only send an estimate, and sanction comes from the Political Agent.

37678. How far is your sub-division from the headquarters of the district?—There are two *tahsils*; one is the Sibi *tahsil*, and the other is the Kohlu *sub-tahsil*; the Kohlu *sub-tahsil* is about 100 miles from Sibi.

37679. Is Sibi the headquarters of the district?—Yes; in winter. In summer the headquarters are at Ziarat; there is the railway line up to Kach, and then it is about 31 miles from Kach to Ziarat.

37680. If any small work has to be done in the district, you have to send, at all events in the summer season, about a day's journey?—Yes; something like that.

37681. As a rule, have Executive Officers a good knowledge of the vernacular?—Some have, and some have not.

37682. Do the majority have a good knowledge of the language of the place in which they are working?—The majority have; they are supposed to pass the examination, and only those Political Agents who know the language are sent there.

37683. I am talking not only of the Political Agents, but of all the officers of Government?—The majority of the natives know the language, and the Europeans know it so far as their examination is concerned.

37684. I am not talking about examinations, but of their power to converse with the people; is that sufficient?—Not quite. It might be improved.

37685. (Mr. Meyer.) What is the character of your sub-division; how many *tahsils* does it consist of?—The Sibi *tahsil*, and the Kohlu *sub-tahsil*.

37686. Is it the general arrangement that each Sub-Divisional Officer has two *tahsils*?—Some have two, some have only one; I think most of them have either one *tahsil* and a *sub-tahsil*, or two *tahsils*.

37687. Are the sub-divisions changed at the Deputy Commissioner's discretion; can he give you one *tahsil* at one time, and two *tahsils* at another time, or do they remain fixed?—They can be changed with the sanction of the Local Government.

37688. Are they frequently changed?—No; there has been a change only once, some five years ago, when the new district of Loralai and a new sub-division of Nasirabad were created.

37689. Do Sub-Divisional Officers live in their sub-divisions?—They live at the headquarters of one *tahsil*; for instance, the Sibi Sub-Divisional Officer has his headquarters at Sibi.

37690. That is also the headquarters of the district?—Yes; in the winter.

37691. Take the Sibi district; how many sub-divisions are there?—There is the Sibi sub-division, the Nasirabad sub-division, and the Shahrig sub-division.

37692. Where does the Sibi Sub-Divisional Officer live?—He lives at Sibi.

37693. How long does he live in his own sub-division?—He always remains at Sibi except when he goes on tour to the Kohlu *sub-tahsil*, or some other part of his sub-division.

37694. Where does the Nasirabad Officer live?—Nasirabad; there is only one *tahsil* in Nasirabad.

37695. The general system is that the Sub-Divisional Officer lives for the most part of the year in his own sub-division, though sometimes he goes for a few months to the district headquarters?—No; he remains always at the headquarters of the sub-division; he goes to the district headquarters whenever he is called for, that is only for a few days, not months.

37696. Is that the general rule throughout the province?—Yes.

37697. Who appoints *tahsildars* and *naib-tahsildars*?—The Revenue Commissioner.

37698. Who are the *naib-tahsildars*?—Some are appointed direct, some are promoted clerks.

37699. Are the bulk of them natives of this province, or do they come in from the Punjab or elsewhere?—Most of them come from the Punjab; the local people have not got so much knowledge; are not so educated; they have now commenced to give appointments to the local people who are fit for them.

37700. In time do you think you will be able to recruit from them satisfactorily?—Yes; after they get educated.

37701. Has a Sub-Divisional Officer all the powers of a District Officer?—He is a First Class Magistrate, he is a Sub-Divisional Officer, and he is an Assistant Collector so far as revenue is concerned. He has also powers in civil cases up to Rs. 10,000, and he hears appeals from the orders of the *tahsildars* and *naib-tahsildars*.

37702. Where does the District Officer come in; does he hear appeals from the Sub-Divisional Officer?—Yes.

37703. Has he any part of the district under his direct control, or is he simply the Controlling Officer over the sub-division?—He is Controlling Officer over the sub-division, and he has power to hear appeals as Deputy Commissioner, but he has delegated these powers to the Sub-Divisional Officers also.

37704. You say the Sub-Divisional Officer should be allowed to deal with Excluded Local Funds; does he not deal with them already?—The Sub-Divisional Officer keeps the accounts, but he has to submit the accounts to the Political Agent.

37705. Can he not settle what works he is going to undertake out of his money?—Not without sanction. He should have power as regards any works that had already been sanctioned which are in the budget allotment; once they have been ordered and sanctioned they should be within his discretion.

37706. You have now to go up twice and you think once would be enough?—Just so.

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37707. You say that he should also be able to deal with municipalities; but there is only one municipality in the whole province?—I was speaking of the Local Fund at Sibi.

37708. Is that just the same as the other Excluded Local Funds at present?—It is under a different name, that is all.

37709. (Mr. Hichens.) The Excluded Local Funds are only collected in the towns?—In small bazaars.

37710. Are they spent in places where they are collected?—Yes.

37711. Do you make up a budget for each small town within your sub-division?—Yes. It is submitted to the Political Agent, and he sends it on to the Revenue Commissioner for sanction. I do not know whether it goes up to the Local Government or not; as far as I know, it goes from the Political Agent to the Revenue Commissioner.

37712. Is Sibi the largest town with the largest budget in your sub-division?—Yes. The budget is about Rs. 25,000.

37713. When the budget is once passed, you still have to go up for sanction to carry out certain works?—Yes. I have power only up to Rs. 25 at present.

37714. (Mr. Dutt.) You have one tahsildar under you. What is his educational qualification?—The present man does not know English; some tahsildars do.

37715. Is he a local man or a man from the Punjab?—From the Punjab frontier.

37716. Does he do most of his work in Hindi?—In Urdu; that is the Court language.

37717. What is his pay?—He is on the graded list; the pay of tahsildars is from Rs. 125 to Rs. 250; I think he gets Rs. 200.

37718. What is the pay of the naib-tahsildars?—They have grades also; the present man gets about Rs. 65.

37719. The population of your sub-division is mostly Muhammadan?—Yes; with the exception of the Sibi bazaar.

37720. Have you any indigenous schools, called *Mullah* schools, in the villages?—Yes; in the Sibi sub-division we have four village schools.

37721. Do you maintain or support these village schools?—Yes; those are village schools, and we have one big school up to the middle standard at Sibi itself.

37722. Beyond that have not the villages primitive institutions of their own where they teach the Koran?—Yes; they teach the Koran and we also try to get them to have a *Mullah* who can teach not only the Koran but a little secular education as well.

37723. Are these *Mullah* schools pretty numerous in the villages, or are they rare?—They are frequent, almost in every village.

37724. Is it possible, by giving some aid to those *Mullah* schools, to include some sort of secular education?—We are trying it as an experiment.

37725. Have you some chance of succeeding?—We are not quite sure, but we are trying; we tried in other places but did not succeed; we are going on

with the Khaja school, and if it proves a success it is possible that we shall do the same in other schools. The difficulty is about the boys; the zamindars, so far as Sibi is concerned, cannot spare their children from the work of cultivation; as a rule, they do not send many boys; out of 100 perhaps they will send one-fourth or one-fifth.

37726. Do you sometimes have occasion to execute local works in the villages, wells, or small roads?—We have roads. They are made from the Excluded Local Fund. Some roads are provincial roads and some are Local Fund roads; those that are within the area of the towns are kept up by Local Funds, and those outside are kept up from provincial funds.

37727. Do you give such work out on contract, or do you ask the villagers to undertake it themselves?—We give them on contract generally.

37728. You cannot get some leading men of the village to come forward and take the money and do the work themselves?—We tried several times, but did not succeed; they are not yet advanced enough for that.

37729. There is no sort of village organization?—No; we have always been trying to give it to the local people as far as possible.

37730. Do you often have to refer cases to *jirgas* for decision?—All cases between local people are as a rule referred to the *jirgas*.

37731. Do they do useful work?—Very useful work.

37732. (Sir Frederic Lely.) When a *jirga* has to be appointed, do you take any part in selecting them?—The Political Agent selects them and nominates them.

37733. Does he do it through you? Yes. There are two kinds of *jirgas*—one is a local *jirga*; that is done in the place itself, and all the headmen of the villages take part in it; when any case is referred by the Political Agent to a local *jirga* it goes to those people unless there is any objection raised by either of the parties.

37734. Are these local *jirgas* appointed from a list of the leading men?—Yes.

37735. You do not select them for each particular occasion?—In certain cases yes, otherwise the local *jirgas* comprise all the leading men.

37736. Would it be possible to increase the powers of the *jirga*, for instance, to enlist their aid in looking after schools or in keeping up the roads?—The men who are on the *jirga* are the *lambardars*, the headmen of the village; their help is always invited in the matter of schools in the villages.

37737. Are there factions in the villages of your sub-division?—Yes.

37738. Does that not make a difference at times to the impartiality and competence of the *jirga*?—No; because wherever any case goes to them there is always a Government official with them, and they always take care that their decisions are impartial.

37739. It is chiefly owing to the influence of the Government officer?—Yes; he is always there to see that they do their work properly.

(The witness withdrew.)

KAZI MUHAMMAD JALAL-UD-DIN KHAN, C.I.E., was called and examined (through an Interpreter).

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ud-din Khan.  
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37740. (Chairman.) What is your present occupation?—Political Adviser to His Highness the Khan of Kalat. I was previously Settlement Officer in the Quetta-Pishin district.

The provincial Government should be given the largest possible powers in financial matters and authorized to work within the allotment according to his discretion, without exceeding allotment. The provincial Government should be given further financial powers of creation of new appointments and enhancement of salaries, subject to the conditions laid down in the Civil Service Regulations and Civil Account Code. In the matter of new appointments preference should be given to the natives of the province. The provincial Government should be given powers to such

an extent that it may become nearly independent in all administrative matters of the province.

The departments of the Government of India are bound to follow the laws, and therefore their influence depends upon the rigidity or uniformity of the law. If the law is rigid, the influence of the departments of the Government of India will naturally be towards rigidity. This can be reformed by relaxing the severity of the law.

It is better if the Government of India keeps on a big scale the right of appeal to itself. A certificate is not necessary from the authority passing the order appealed against.

There is no Board of Revenue and there are no Commissioners of divisions in Baluchistan. There is

only one Revenue Commissioner, who is also the Judicial Commissioner in the province. There is one Political Agent in each district, who is Collector and Deputy Commissioner as well. The provincial Government should be authorized to invest the Deputy Commissioners of 1st, 2nd, and 3rd grades with the powers of Commissioners in their districts, whenever it deems fit to do so. The Assistant Commissioners and Extra-Assistant Commissioners of the 1st and 2nd grades should be given the powers of a Collector. The tahsildars of the 1st and 2nd grades should possess the powers of an Assistant Collector of the 1st grade, and the naib-tahsildars of 1st grade those of an Assistant Collector of the 2nd grade, provided these officers have served for more than three years in the district. All Assistant Commissioners and Extra-Assistant Commissioners should be considered as Assistant Collectors of the 1st grade and all tahsildars as Assistant Collectors of the 2nd grade. The Commissioners and Collectors should be given further powers to control expenditures in their divisions and districts.

The Local Government should not be further deprived of its financial powers. The Financial Commissioner has got extensive powers, and he has already relieved the Local Government from the financial powers in several respects, and that is sufficient.

In Baluchistan the Commissioner possesses the powers of a High Court in judicial matters. But the Local Government should bear appeals against orders passed under sections 61-62, chapter 3, sections 121-130, chapter 6, and sections 161-171, chapter 9, of the Indian Penal Code. In political cases appeals should be made to the Local Government, as at present. The Revenue Commissioner in Baluchistan is also a Judicial Commissioner, and presides over the highest Courts in the province. His influence is, therefore, sufficiently strong over other departments.

The Political Agent, who is the real Executive Officer in a district, has no time for personal contact with the people. He is busily engaged the whole day and night in the office correspondence. The correspondence work is rapidly increasing day by day; especially since Lord Curzon paid his attention towards it and issued strict orders in the matter. Since that time the correspondence work in offices has increased to an enormous extent. The Sahib's office establishment is also fond of correspondence. "The Sahib should have knowledge of all affairs"—this sentence is apparently very sweet, but actually it is a poisonous one. The Sahib is a human being; he naturally requires some rest, and cannot go to the bottom of so many matters brought to his notice. The clerks then prove the excess of work by inward and outward registers of correspondence, get more men employed, and thus make the way clear for them to reach to the officers' grade.

The next obstacle which keeps the Sahib back from personal contact with the natives of the country is that all his office work is done in the English language, and the desire of doing everything in English is unnecessarily increasing day by day. For the same reason a condition has been laid down for the appointment of a *sharishtadar* that the candidate for that post should have knowledge of English. In short, the Sahib does his whole work in the English language, remains surrounded by English-speaking people, and for him the appointment which he holds in Asia is just as he is employed in any capacity in London. Under such circumstances, how can he venture to learn a foreign language. If for any unavoidable circumstances he finds opportunity to meet a countryman, he considers that a waste of time and passes those moments hatefully. Gradually such things become his habit. The country people also feel this, and they do not wish to be an instrument of wasting the Sahib's time. The gulf of unfamiliarity between the ruler and the ruled is thereby becoming more wide. On the face of these facts it is a mistake to call the Sahib an "Executive Officer." He is actually at a clerk's table, and the title of a "clerk" suits him well. The following are the suggestions by which the defects which forbid the Sahib to have personal contact with people can be removed.

- (a) The head clerk and *sharishtadar* should not be let loose in executive affairs as they are at present. There are several other ways of giving them promotions. A clerk can rise from the post of the *sharishtadar* of

a *tahsil* to the post of *mir munshi*, and that of a Native Assistant to the Agent to the Governor-General. There is sufficient field for clerks.

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- (b) The Sahib has two offices—English and vernacular. Much work should be done in the vernacular office, and the restriction of keeping an English-knowing *sharishtadar* should be expunged, so that he may not convert the vernacular office into an English one.
- (c) The Sahib should trust the subordinate officers under him, and treat them well; and they should not be disheartened by interference in their lawful powers. Then all of them become the Sahib's good and faithful assistants, and he will then himself find opportunities of personal contact with the people.

Preference should be given to the natives of the province. This shortness is admitted, but nothing is practically done. How can this be done when the conditions of "ability" are attached with each and every appointment, and the "ability" nowadays means "knowledge of English." This is a wrong idea; "ability" is one thing, and the knowledge of a particular language is another. A man can gain ability in any language. From a political point of view, also, it is not free from danger to give so much publicity to the foreign language, and to consider it "ability" for each and every appointment. The respectable natives of this province do not know English, and it is most probable that in this respect they will remain backward for several years to come; however, their influence in the country is sufficiently strong, and in executive matters their ability is natural. The Sahib should boast if he finds such subordinates working under him. On the contrary, if the respectable natives of the country will keep aloof, and the Sahib remains surrounded with so-called B. A. subordinate officers, who are more ignorant in the matters of customs of the country than the Sahib, and who bear no estimation in the eyes of people (though they visit them fair without and foul within), I may say without the least hesitation that the Sahib's office records will of course remain in good order, but the walls of the buildings of his administration are on sandy soil. If the house does not fall on the Sahib's head, he is fortunate indeed.

Some officers possess knowledge of the vernacular and some not. Great care should be taken and attention paid in the selection of Collectors.

Transfers are unnecessarily frequent. A good officer's frequent transfer from one place to another is really bad, but its remedy is not difficult; because officers get the pay of the grade and not of the post. It would not be unfair if certain districts were reserved for the officers of special qualifications. For example, the Quetta district should be reserved for the senior civilian officer in the province.

In Baluchistan local bodies are in a preliminary state and require no change. The supervision and control of local officers over the municipalities in Baluchistan is sufficient. There are no village communities in Baluchistan.

The creation of Advisory Councils in districts is most necessary. Through this system the respectable men of the country will render assistance in the administrative affairs, and Administrative Officers will be in touch with the public. The appointment of the members should remain in the hands of the Local Government, but in no subject should responsibilities be given to such Councils. The Political Agent should get their assistance in whatever matters he thinks the members fit. A high Advisory Council should also be created to assist the Agent to the Governor-General.

In the Police Department the Executive Officers should be given controlling powers. The Honourable the Agent to the Governor-General should be considered as Inspector-General, and the Commissioner as Deputy Inspector-General. Political Agents should be considered as District Superintendents of Police; Assistant Commissioners and Extra-Assistant Commissioners as Assistant and Deputy Superintendents; tahsildars as inspectors, and naib-tahsildars as deputy inspectors. If this is done the police will render

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immediate assistance whenever required. At present there are always misunderstandings between the Executive and Police Officers. Also the police of one district should remain in the same district, and the natives of the district and men of good character will then like to serve in the Police Department. The several defects in the police will thus be removed. Political Agents should not be given the powers of a Sessions Judge, because they form their opinion before hearing the case, and do not pay sufficient attention towards the proceedings. As very few Sessions cases come up in Baluchistan, a separate officer is not required to hear them.

37741. How did you arrive at the assessment of revenue in the Quetta-Pishin settlement?—The revenue was levied before by the *batai* system; returns were prepared for the last several years, and the average revenue was obtained; the land was also measured and a statement of irrigation sources was prepared, taking into consideration the past average revenue and the condition of the land and the amount of water. The distribution was made of the assessment over that.

37742. What amount of the gross revenue was calculated as the cost of production?—The *batai* pays a certain rate, which varies from one-sixth to one-third; that represents exclusively the Government share; out of the remainder the zamindars incur all expenses, and in fixing the assessment I only took into consideration the actual revenue realised by Government.

37743. Were there many appeals against this settlement?—Very few.

37744. Who decides such appeals?—They were settled by the Chief Commissioner.

37745. You suggest that in the matter of new appointments preference should be given to the native of the province; for what sort of positions?—Revenue Officers, such as naib-tahsildars and tahsildars, and also in the police.

37746. You do not attach much importance to a knowledge of English?—It is not necessary here.

37747. If a knowledge of English were excluded, would there be plenty of people for the positions of tahsildars and naib-tahsildars?—Yes.

37748. You say there is an unnecessary increase in the use of English in office work; is that a real detriment to the administration of the country?—I think it is a great detriment to the administration. The officer who has to carry out the administration has to spend most of his time in English correspondence.

37749. Would that not be the same thing if the correspondence was done in the vernacular?—The majority of the correspondence is originally in Urdu; it has to be translated into English again for the benefit of the officer, and in that way the time is wasted. All petitions sent by the local people are in the vernacular, and they have to be translated into English for the Political Agent. Most of the officers understand Urdu but very few can read it. They like these things to be put into English, and the office people endeavour that they shall be put into English, so that their work may be increased.

37750. Who translates these petitions?—Either the *sharishtadar*, or there is a translator attached to each office.

37751. What part of the country does the translator come from?—The majority of the translators are from the Punjab.

37752. So that this custom of conducting all the work in English shuts out the natives of the province from employment in the province?—On account of this system most of the local people are deprived of Government appointments.

37753. Do a considerable number of the people keep aloof from the Political Agents because they cannot read or write or thoroughly talk the language?—What I mean is that most of the Political Agent's time is occupied in office work, and the people think they will be wasting time if they go to him; that is why they keep aloof.

37754. (*Mr. Dutt*.) Was the old system which prevailed at Quetta-Pishin the *batai* system?—The greater part was under *batai*; in a few places there was a fixed assessment.

37755. Where the *batai* system prevailed, was the amount taken about one-third of the produce?—One-third, one-fourth, one-fifth, and, in the greater part, one-sixth.

37756. In reducing that into payment by money, did you keep up the same rates, or did you make any deduction?—In cases where *batai* was taken at one-third, one-fifth, or one-fourth, it was ordinarily reduced to one-sixth.

37757. Is Urdu generally the language among the upper classes in these parts of Baluchistan?—Not of the local people.

37758. In what particular vernacular should accounts and records be kept?—The language ordinarily spoken is Pashtu, Baluchi, and Persian, but none of these are suited for records and office correspondence; I think Urdu is nearer to Persian, and that is what should be used. At present the tahsildars and naib-tahsildars keep their correspondence and accounts in Urdu; I suggest that the correspondence in the Political Agent's vernacular branch should be done more in the vernacular and not so much in English.

37759. You suggest the creation of Advisory Councils in districts; what kind of men would you select for them?—They should be selected out of the leading men of the villages, preference being given to those who are somewhat educated.

37760. Who is to select them?—They should be selected by the District Officers in consultation with the people concerned.

37761. Are there recognised headmen in the villages in British Baluchistan?—The leading men are recognised and known.

37762. Are they the leading men of the different tribes, or are they the leading men of the different villages?—They represent the villages and tribes living in those villages: the villages are composed of certain tribes, and the leading men of each tribe are known and recognised.

37763. Would these men be of any help to the administration in village affairs, such as schools and roads?—Gradually, when they are trained they will be able to do that.

37764. (*Sir Frederic Lely*.) As a rule, do officers speak the language better now than formerly, or not so well?—One man differs so much from another.

37765. Where does the average District Officer get his advice from as to native customs and native wants?—From the leading men of the tribe.

37766. Does he generally get good advice?—Sometimes.

37767. Does he sometimes make mistakes through not getting good advice?—If enquiries are made about customs at public meetings where there are several people present he is not misled; but if he consults a single person it is possible he may be misled.

37768. Does it often happen that a District Officer takes his opinions from a single person?—They generally do not depend on one man's advice; even if one man gives advice the officer will consult several others before he acts upon it.

37769. Is there anything you can suggest to bring the officers of Government more into harmony with the people than they are, or is there no change which you think necessary?—It is absolutely necessary that there should be more contact between the officers and the people. The more the people of the country are employed the more they will have confidence in the officers, and they will come more to mix with the people.

37770. When you were conducting the settlement of the land, did you take the opinion of the *jirgas* or of the people in any way?—Leading men were consulted, and in that way there were very few appeals. Although the revenue was raised, the people were consulted and matters were discussed with them, and there were very few appeals.

37771. Did you do that in informal conversation or by holding a formal assembly?—I visited each village and collected all the people who had any interest and explained everything to them; everything was thoroughly discussed; I explained to them what was the amount of land and water, and then arrived at a conclusion.



37772. In a free informal talk?—Yes.

37773. (*Mr. Meyer.*) Were you not a tahsildar and an Extra-Assistant Commissioner here before you took up your present position? Have you served in any other province?—In Kandahar, under Colonel Oliver St. John.

37774. You mention Commissioners of divisions and Deputy Commissioners; have you ever worked with a Commissioner of a division?—I have worked with a Revenue Commissioner.

37775. You say here that Deputy Commissioners of the first, second, and third grades should have the powers of Commissioners; what do you mean exactly by that?—I mean a Collector of the first, second, or third grade might be given the powers of a Commissioner in respect of land revenue.

37776. As if he was a Commissioner in another province?—Yes.

37777. You say the Political Agents sit at their desks and are becoming head clerks; do they not travel about a good deal in their district?—Though they go about the district, even then they have so much to do; most of their time is occupied in writing.

37778. But do they not talk to the people and meet *jirgas* and enquire into things themselves?—They seldom go to *jirgas*; they have not sufficient time to talk to the people.

37779. Does what you say about the Political Agent apply to the Sub-Divisional Officers too?—Generally they are natives; they have more time; people can come at any time to them, and they have more opportunity of talking to them.

37780. You make a distinction between a native gentleman and a European; there are European Sub-

Divisional Officers, Assistant Political Agents, and so forth; have they not time?—In my time there were no European Officers in charge of sub-divisions, so that I have no personal knowledge.

37781. But surely men like Barnes Sahib, and Sandeman Sahib, and Browne Sahib went to the people, knew the people, and could talk to the people?—They were not so much tied down by correspondence as the present officers are.

37782. In what language is the work of the sub-divisional office done?—The Sub-Divisional Officers who know English carry on their correspondence generally in English.

37783. You say that Advisory Councils are required; why is that necessary when you have got the *jirgas*?—*Jirgas* are only intended for particular cases; if there are to be Advisory Councils they will be able to advise in all matters.

37784. Could not the *jirgas* be used; could not the Political Agent say to the *jirgas*, "Now, I am going to make a fresh settlement, and I am going to consult you about it"; or "There is plague there, and I want you to get the people inoculated"; could he not consult them about matters of that sort?—The Political Agents generally consult the leading men, but if there were a Council appointed the people appointed to those Councils would feel their responsibility, and would prove themselves more useful.

37785. You will still have these *jirgas* for these particular cases, and you would have a Standing Advisory Council in addition?—When the Advisory Councils are appointed, members of the Councils could also be appointed to the *jirgas*.

(*The witness withdrew.*)

KHAN BAHADUR BURJORJEE DORABJEE PATEL, C.I.E., was called and examined.

37786. (*Chairman.*) Have you been living in Quetta long?—About thirty years. I am a merchant, and a member of the municipality.

The present administration is very well suited to the requirements of the province which is essentially a military frontier. The prominent defect is that the transfers of officers are more frequent than is desirable in a rising young province. On this account, very often, officers are prevented from taking that interest in people which is expected from them, and besides it tends to retard the progress of the place. The Government of India should select senior officers of mature experience with an understanding that they should remain in this place at least for a period of five years, if not more. In order to compensate them for certain disadvantages they may suffer from, on account of such a long stay, their salaries should be so fixed as to induce them to stay longer and thereby give them full opportunity to leave their mark on the administration of the country. Though there are frequent transfers amongst officers, strange to say there are practically no transfers amongst the subordinates. This, in the long run, works great injustice to them especially when the climate is severe. It should not be difficult to transfer a Baluchistan man to Peshawar or any part of the North-West Frontier Province.

No lawyer is admitted to plead in this country except by special permission of the Local Government. Looking to the present condition of the country, if it is not considered advisable to throw open the country to lawyers, at large, about half a dozen persons of good antecedents and training, if permitted to practise, there would not be much fear of litigation increasing. On the other hand they might prove a boon to the Bench and the public. This practice already prevails in the North-West Frontier Province.

In the absence of lawyers there should be a separate full-time officer to preside over the Judicial Administration. At present this work is done by an officer who is also a Revenue Commissioner. The Head of the Judicial Administration should either be a Barrister Judge or a Civilian Judge, with at least five to ten years' service as a District Judge.

Every Head of a district and province should know the language of the country and be in a position to speak to the people without the aid of an interpreter.

In matters municipal or municipal administration the official control should now be less. A greater opportunity should be given to the town people to run the show, and the elective principle should be introduced.

The aloofness between the rulers and the ruled is the principal cause of the so-called unrest in the country. During the last 25 years, Indians have made considerable advances. Educated men, who are the products of the western system of education, have learnt to respect themselves, and in return they naturally expect that the rulers should treat them with a certain amount of consideration and give them some of their confidence. The change of condition has not been properly gauged by the rulers who, as a rule, are tied to their desks. I would suggest the following remedies:—The Head of every district should be relieved of judicial work so as to give him more time to meet the people and exchange views on questions of administration and other matters, say at least once in every week. The visits of the non-officials of position should be returned. The Head of a district should be made to stay therein from five to ten years and be competent to speak the language of the district.

37787. Is the Deputy Commissioner the President of the municipality?—Yes. The Assistant Political Agent is Vice-President.

37788. You say that there have been too many transfers of Political Officers. How long should an officer stay in a district before he is moved?—At least seven years. The maximum should be ten years, and the minimum five years. Here sometimes in one year there are about half a dozen Political Officers.

37789. Is this a particularly difficult part of the world for an Executive Officer to become acquainted with?—This is a new province in a frontier country, and if an officer can stay here longer he will have more opportunities to introduce reforms.

37790. But is this a more difficult part of India for an Executive Officer to become acquainted with, say, than Bombay?—No, I should not think so; of course he will have to study the language of the country; I attach more importance to the post of Deputy Commissioner even than to that of the Commissioner from

*Kazi Jalal-ud-din Khan.*

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this point of view. If a Deputy Commissioner was well acquainted with the language and was not saddled with so much work as he is nowadays, he would have more opportunities to mix with the people of the country, and thereby he could help to make the British rule more popular.

37791. Does the more or less unsettled condition of the country make it more difficult for an Executive Officer to become acquainted with the people?—There is not much unsettled condition now; the country is well settled.

37792. I will put it, the wilder nature of the country?—It is a wilder country.

37793. But you do not think it is more difficult than places like Gujarat?—No, because the people are quiet here: it is not like the Khyber frontier.

37794. Have the Executive Officers here a deficient knowledge of the vernacular?—On account of the frequent sudden changes, they do not possess that knowledge which they ought to possess in order to administer well, and to bring themselves into contact with the people.

37795. Is a knowledge of writing and reading as necessary as a knowledge of speech?—If it is necessary for natives to study the English language in order to discharge their duties properly, it is equally necessary for British officers to know the vernacular language if they want to make their rule a popular one.

37796. Is the ability to write and read as necessary as the power to converse?—Quite as necessary; in order to do this European officers should be given better pay so that they will be induced to learn and master the language.

37797. How is the revenue of your municipality raised?—By octroi. There is a separate conservancy tax.

37798. What is the revenue of the municipality?—It is about Rs. 1,20,000 a year.

37799. What is it spent upon?—Improvement works, such as roads, drainage, and lighting; half of it goes to the cantonment, because they say that Quetta is a town depending on the cantonment; they say that if there were no cantonment there would be no town. In India no such high proportion is given.

37800. Do you control education in the municipality?—Yes, primary education.

37801. Have you any secondary education?—Up to matriculation.

37802. Is there a college?—No.

37803. Are all the schools controlled by the municipality?—All the Quetta schools are controlled by the municipality, not the outside schools.

37804. How are they inspected?—There is an educational inspector appointed by Government.

37805. (*Mr. Meyer.*) What proportion of the education expenses is contributed by the municipality?—I do not remember the exact amount.

37806. Does the Municipal Council or the Chairman appoint the masters in these schools?—Yes; the Assistant Political Agent is the Vice-President of the municipality, and at the same time manager of the schools, and he, with the concurrence of the Education Sub-Committee, appoints the masters of the schools.

37807. Have you a Finance Committee to look after the budget?—No, we have no separate Finance Committee.

37808. Do you support dispensaries or hospitals?—There is a certain amount contributed towards the dispensary and hospital by the municipality.

37809. Is it managed by the Civil Surgeon?—Yes.

37810. Do you desire that the whole Municipal Council should be elected hereafter?—Not the whole, but it would be better if a part were elected, because it would leave no room for people to think that the nominated members simply worked with Government. People seem to think that if members were to go against Government in any way they would not be re-nominated next year. It would remove that impression if the elective principle were introduced.

37811. How long have you lived at Quetta?—30 years.

37812. How long has the municipality been in existence?—About 12 years.

37813. Is it popular?—It is popular, but the people have some grievances. They say that the President is an official, and therefore the Vice-President ought to be a non-official; if there is no Indian qualified for the post, they should have a European non-official. Moreover, the doings of the Municipal Committee are subject to the approval of the Deputy Commissioner, who can veto anything he likes; therefore it would be just as well not to have a Municipal Committee at all. In the first place the President and the Vice-President are official; in the second place, if what is done by the majority is to be vetoed, there is no use in having a Municipal Committee.

37814. As a matter of fact, does the Revenue Commissioner often exercise the power of veto?—He does not very often exercise it, but he has the power.

37815. You send your budgets up to him for approval?—Everything goes to him for approval. We do not particularly object to it, but it is the principle.

37816. Do you maintain that the municipality should be absolutely independent and not have to submit its budget to any outsider?—The budget certainly should also be submitted and passed.

37817. Then in what particular matter of control do you want relaxation?—The first is the elective principle.

37818. You say that in many matters you are so controlled by the Revenue Commissioner that you might just as well have no municipality at all; in what particular matters do you want relaxation or control?—The Commissioner has the power to veto anything done by the Municipal Committee.

37819. Does every resolution of the Municipal Committee have to go to him for approval?—Yes.

37820. Does it not come into effect until he has approved it?—Yes.

37821. Then would your position be that he should still see and approve the budget, and that he should get copies of your proceedings, but that he should not interfere unless there was something in which he thought he was bound to interfere?—Anything that was carried by a majority of the members should be upheld.

37822. Suppose the majority of the members got tired of keeping up schools and said they did not want any more of them?—If the majority gave it up altogether it would be a different thing, but whatever was done by the majority should be upheld.

37823. You believe in the sacred right of the majority?—I do.

37824. Should there be other municipalities in the province outside Quetta?—It is not time for that yet.

37825. You object very much to the constant transfers of Political Agents. Have you any remedy to suggest?—The only remedy I can suggest is to offer them higher pay so that they may be induced to stay here longer, and to relieve them of some of their judicial work; they are saddled with so much work that they have scarcely time to mix with the people.

37826. (*Sir Frederic Lely.*) You say that there should be more transfers among the subordinates; whom do you mean by the subordinates?—Clerks, Subordinate Judges, tahsildars, and all the people under the grade of officers.

37827. Would that not result in a tahsildar often being in a district where he did not know the language?—As a rule, the tahsildars come here from the Punjab, and they all understand Hindustani.

37828. But Hindustani would not carry one very far in many districts of this province?—The people of the country are getting educated, and in course of time they will provide tahsildars, but at present tahsildars come from the Punjab.

37829. It is important that a Deputy Commissioner should know the language, but it is still more important that a tahsildar should know the language?—Certainly.

37830. Would you propose that tahsildars should be transferred to the North-West Frontier Province, for instance?—There is not scope enough here for their transfer. Officers are subject to transfer in other provinces, and in the same way subordinates might be transferred to the North-West Frontier Province, as the language of both the Provinces is the same.



37831. (*Mr. Dutt.*) You have told us that the Revenue Commissioner has the power to interfere with all resolutions of the municipality. Are you quite sure of that?—I am not quite sure; but I believe it is the case.

37832. Take a concrete instance; the municipality passes a resolution that Rs. 250 be spent on the repair of a road, and a copy of this resolution goes to the Revenue Commissioner; does any section of the law permit the Revenue Commissioner to rescind that resolution or interfere with it?—I have not gone through the Code.

37833. You have spoken about the Educational Sub-Committee, are there any others?—Yes; there is a Public Works Sub-Committee and a Sanitary Sub-Committee.

37834. The Public Works Sub-Committee looks after all the roads that are executed; do they also check the accounts?—No; they do not check the accounts. They approve of the plan; they go to the site and look at the building and approve the plans.

37835. What are the duties of the Sanitary Sub-Committee?—The Sanitary Sub-Committee, assisted by the Civil Surgeon, inspects drainage and other works of public utility and buildings.

37836. A great deal of useful work is done by *jirgas*?—Decidedly it has been done. I should like to say upon that point that in this country no lawyers are admitted except in special cases. The local people have the *jirgas*; the Europeans have the Lahore High Court. Although the law is in force in Baluchistan, we have not got lawyers to guide us. Therefore I have laid stress upon the necessity of having lawyers admitted into this country. If you think the time is not come for that, in that case it would be better that Indians should also be allowed to have their *jirgas*, that is to say, their panchayat, headed, if possible, by some Judicial Officer, so that they can have their cases tried in the same way as the local people.

37837. The Indian population in British Baluchistan is small?—It is small; it is principally in Quetta.

37838. Is there a fairly large population in Sibi?—Yes; but not so big as in Quetta. In Sibi and Loralai there are Indians, but Quetta contains the majority. If this system of panchayats was introduced in Quetta and worked successfully, it might help to extend the system even in India.

37839. Your proposal is that a panchayat of Indian residents should be established at Quetta and that all petty cases should be referred to them for disposal?—Yes; and then the Judicial Commissioner's Court could remain as the High Court.

37840. That could be tried as an experiment?—Exactly; and in that case there would be no necessity for lawyers; but if we are to be tied down with the laws and at the same time not allowed the assistance of lawyers, it is very hard lines, because we have nothing to guide us, and of course it is always said that ignorance of the law is no excuse.

37841. (*Mr. Hichens.*) What are the revenues of the Quetta municipality?—Altogether 2 lakhs; the actual income is Rs. 1,20,000; the other is house rent; the Quetta municipality owns a lot of house property; then there are other taxes, bringing up the income to about 2 lakhs.

37842. Half of that, let us say a lakh, you give over to the cantonment?—Rs. 60,000 out of Rs. 1,20,000 we give over to the cantonment.

37843. Is the cantonment quite separate from the municipality?—Yes. There is another point; on the Cantonments Committee there are no townspeople to represent the citizens; although we give half our income we have not a single representative on the committee.

37844. Is the half that you give them spent entirely within the cantonment area?—Entirely; and we do not know how they spend it.

37845. They do not give you anything for it?—No.

37846. What is the reason of the contribution?—It is understood that if it were not for the Quetta cantonment the town would not have existed. It was so once on a time, but circumstances are very different now on account of the opening of the Seistan route and the extension of trade with Kandahar. Once, certainly, the town depended on the cantonment, but that is not the case now.

37847. Have you heard of a place called Johannesburg?—Yes.

37848. Near there are the mines; without the mines Johannesburg would never have existed; would it be reasonable to ask Johannesburg to contribute half their revenue to the mines on that ground?—I think in that case it is fair to give it certainly; I do not say that we should not give our contribution, but we should have some representatives on the committee.

37849. Has the municipality any powers to make a fresh appointment without consulting the Local Government?—No; the Local Government has to be consulted in every case.

37850. Would you give small powers in that way to the Municipal Council?—I would give the sub-committees power.

37851. Would you give the Municipal Council power to make appointments such as the appointment of a peon?—The President makes the appointments subject to approval by the Revenue Commissioner.

37852. Would it be a sound thing if in those towns where the Excluded Local Funds were collected a small committee was appointed to administer them?—It would be better certainly.

37853. Are you acquainted with the system of District Local Funds in other parts of India?—I know something about it.

37854. Is there no such thing in Baluchistan?—There is no District Local Fund here.

37855. Would it be a sound thing to start?—It would be better if it were introduced here.

37856. Would you introduce it in the various districts gradually?—Yes.

37857. Would you combine with that the appointment of some public body to assist in administering it?—Certainly.

37858. Are there districts or *tahsils* where it would be feasible to appoint some form of Council in order to administer a local fund?—It is hardly advisable for a *tahsil*, but I should say it would be for a municipality.

37859. I was talking not of municipalities but of District Boards, or *tahsil* Boards, and whether you thought it was advisable to start Boards of that sort in some parts?—It would be advisable to have them on a small scale.

37860. You say the municipality has a considerable amount of house property in Quetta. How did you acquire that?—The buildings were put up in the old days and we are getting rent on them.

37861. Was a considerable land endowment given to the municipality of Quetta by the Government?—Yes.

37862. (*Chairman.*) Who gave you the land?—The Government purchased it in the old days and gave it to the municipality.

37863. Did the cantonment authorities give you this land?—No; not at all.

37864. Have they given any land to the municipality?—No.

37865. Do they give you anything in return for this Rs. 60,000 which you give them?—They give us nothing whatever.

37866. Have they given you anything in the past?—Nothing. I am quite certain the cantonment has no separate octroi.

37867. The octroi circle includes the cantonment and the town; which is the larger, the cantonment or the town?—The cantonment is larger. The population is about the same, 15,000 each.

37868. Therefore you collect the octroi and give one-half to the cantonment?—Yes; but the cantonment do not pay any octroi; for instance, the goods which they get for the Government Departments are exempted from paying octroi.

37869. Are the troops exempted from paying octroi?—The troops pay no octroi at all.

37870. Are you sure of that?—Yes; I am quite sure.

37871. Do the families of the officers and officials connected with the troops pay no octroi?—If they get any goods from the shops they pay octroi, but not on private personal things.

(*The witness withdrew.*)

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MAJOR A. MCCONAGHEY was called and examined.

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37872. (*Chairman.*) You are the Deputy Commissioner for Quetta-Pishin?—Yes. It includes the old town of Quetta as well as the district round—Pishin and Chaman.

Legislation to curtail the right of appeal seems undesirable and likely to be misunderstood. I would not interfere with the general right of appeal. The growing tendency on the part of junior officials and especially clerks to appeal without good reasons against orders affecting them personally could be more satisfactorily checked by Heads of Departments.

Executive Officers in this district have not sufficient opportunities for personal contact with the people. The chief obstacles are the amount of office work, which does not allow sufficient time for interviews, and the frequent changes, which do not afford officers sufficient opportunities to become acquainted with the district and the people. These remarks apply more particularly to the Political Agent and Assistant Political Agent, and an improvement could be effected if they could be relieved of civil judicial work, and if the transfers were less frequent. Three different\* vernaculars are spoken in the different districts, and if officers are frequently transferred they are unable to acquire a good knowledge of any one of the three. Transfers of officers are frequent. For instance no officer held charge of the Quetta District continuously for six months between November, 1903, and March, 1907. As regards my own case I held the following charges between January, 1904, and March, 1907:—Political Agent, Chagai, Quetta, Kalat and Sibi; Gazeteeer work; Political Agent, Zhob; and the same at Quetta. It is difficult to suggest a remedy. An improvement might be effected if less regard was paid to seniority.

The grant of larger powers to the Quetta municipality seems undesirable under the present conditions.

The creation of Advisory or Administrative Councils to assist District Officers seems inadvisable.

There are no village communities, in the strict sense of the word, in Baluchistan, their place being taken by the tribal system. Pathans are more democratic than Baluchis or Brahuis, and there are no leading chiefs in the district, but the position and standing of the heads of clans and sections are fully recognised by the tribesmen, and the work of the district is carried on with the help of these headmen and *maliks*. The levies who take the place of rural police are part of the tribal system, and in the district, as opposed to Quetta town, practically all cases, criminal and civil, are referred to the local *jirgas* or Councils of Elders. No further powers appear necessary.

37873. Can you clear up this point we have just been discussing about octroi?—We collect all the octroi, both in the town and in the cantonment, and we give a half share to the cantonment.

37874. Have you received anything in return?—No; except that the mere fact of the cantonment being here (that is the argument) increases our octroi, and if there were no great cantonment there would be no Quetta.

37875. Do the people in the cantonment pay octroi duties?—They pay a certain amount; they mostly get their provisions in the town; the native soldiers pay octroi on their food; a great many come and buy in Quetta.

37876. So far as octroi boundaries are concerned, there is no distinction between the cantonment and the town?—No; we have one circle right round both.

37877. Are you Chairman of the municipality?—Yes.

37878. Would it be possible to find in a place like Quetta any substitute as Chairman for yourself in the person of a non-official?—At present it would be better to have an official; not that it need be the Collector, but it would be better to have an official just at first.

37879. The municipality has been in existence 12 years?—Since 1896 or 1897.

37880. What is the number of members?—We have 20 on the Committee.

37881. Do you work by sub-committees?—Altogether.

37882. Do the members attend pretty frequently?—The non-official members attend very regularly; some of the officials who have a good deal of work cannot always come.

37883. How often do you sit?—Twice a month.

37884. Are you Chairman of all the sub-committees?—No; there are different Chairmen; the Civil Surgeon is informally Chairman of the Sanitary Committee; he does the work.

37885. And the other sub-committees?—The Building Committee has no Chairman; the City Magistrate is informally the Chairman.

37886. Practically the work of the municipality is done by officials of one sort or another?—Yes; a good deal.

37887. Are the non-official members who attend regularly capable of doing the work in place of the officials?—I think so; I do not say so as regards the Sanitary Committee work, because that requires special knowledge and none of them have it; but in the other committees they help a good deal; we always try to have non-officials on the committees, because they can keep in with the people.

37888. What is the area of your district?—About 5,000 square miles.

37889. How long have you been Deputy Commissioner?—A year, in Quetta.

37890. How long does it take to get round your district and get to know it thoroughly?—It may take a year to get round it, perhaps more.

37891. Were there many transfers in the post of Deputy Commissioners before you were appointed?—A good many just the year preceding, or rather the year before that.

37892. You say that no officer held charge continuously for six months during the preceding three years and a half?—That is so; there were always changes.

37893. Was the administration of the district when you took charge at all in a slack condition on account of these constant transfers?—I should not say that it was.

37894. Had it suffered in any way by the constant transfers?—I think so; the people did not know their officers so well; they did not know who the officers were perhaps.

37895. Was that an unsatisfactory state of things?—I would not go so far as that.

37896. During the three years previously you yourself had held five distinct charges?—Yes.

37897. Could you get to know anything of that number of charges?—I could not really except very superficially.

37898. Do you have to tour in your district?—Yes; there is no regular touring season; but I try to get out every month for a certain time.

37899. Your subordinates are posted to the district by the Local Government?—Yes.

37900. Can you transfer them when they are once posted?—No; none of them.

37901. Not the tahsildars?—Down to tahsildars and naib-tahsildars I cannot do anything; below that, patwaris and so on, I can transfer within my own district.

37902. How many tahsildars have you?—I have two tahsildars and three or four naib-tahsildars.

37903. If for one reason or another you think it better that they should be put to work in another district, you have to go to the Local Government?—I have to go to the Revenue Commissioner; he can transfer tahsildars and naib-tahsildars.

37904. Amongst the proposals which the Local Government makes is that of the right to transfer subordinates; would it be a good power to have?—I think not for Deputy Commissioners. The Revenue Commissioner might have the power.

\* Pashtu, Baluchi, Brahui.

37905. You think it ought not to go lower?—I think not; the Revenue Commissioner is the best judge as to the conditions of all the districts.

37906. Have you any power to suspend or remit revenue?—No.

37907. Is it desirable that you should have that power?—In a small way it might be given.

37908. Up to what limit?—I might have it up to say Rs. 200.

37909. Under both suspensions and remissions?—Yes.

37910. You would not make any difference between the two?—No.

37911. Have you the forests under you?—There are some forests; they are not very important.

37912. Is there a Conservator in Baluchistan?—Yes, and an Extra-Assistant Conservator.

37913. Does the forest officer conduct his correspondence with the Conservator through you?—There are only rangers below the Extra-Assistant Conservator, who is in charge of forests; there is no other man below him.

37914. The Extra-Assistant Commissioner, so far as forest matters are concerned, communicates direct with the Conservator?—He is a Conservator too; there is only one.

37915. (Mr. Dutt.) Is not Quetta-Pishin really two districts?—It is two separate sub-divisions in charge of the same District Officer.

37916. You have got three Sub-Divisional Officers under you. Generally what class of men do you get as Sub-Divisional Officers?—As a rule the Quetta Sub-Divisional Officer is a European; the other two are not; they are Extra-Assistant Commissioners belonging to the province.

37917. Are they generally chosen from the Ministerial Service, or are they appointed at once to a higher grade?—I think they come both from the revenue and the ministerial ranks as it happens to turn out; there is no rule about it.

37918. Are they all appointed by the Local Government?—Yes.

37919. Are you satisfied with the class of men you get as tahsildars and naib-tahsildars?—Yes; I think so.

37920. Do many of them come from the Punjab?—A great many.

37921. With the increase of education, will you be able to select more local men here?—Yes; there is a tendency that way; a few more local men are gradually being taken on as they learn.

37922. Have you, as District Officer, anything to do with education in the district outside the municipal limits?—Yes; the primary schools.

37923. Are there many primary schools within your charge?—There are four or five schools.

37924. Is there any immediate prospect of increasing that number?—Yes; I hope to open two this year, but it is very gradual.

37925. One witness told us it might be possible to aid some of these Koran schools so as to induce the *Mullahs* to include secular education; is that a good idea?—Yes, that might be tried.

37926. (Mr. Hichens.) There are a certain number of recommendations attached to the memorandum of the Agent of the Governor-General in regard to giving further powers to the Chairman of the Municipal Committee of Quetta; may I take it that this is as far as the Government are prepared to go in the matter?—Yes; I think that is quite enough.

37927. They make no recommendation, for example, with regard to appointments; would you be prepared to give them any powers in that matter, subject to the control of the Chairman?—We always discuss the appointments in committee; we never make an appointment without discussing it in committee first and taking a vote; then, if a new appointment is on the cards I forward it on to the Commissioner with a recommendation; the Commissioner very seldom interferes in these matters.

37928. If the municipality wanted to create a fresh post of a very humble order, should it be possible for

them to do it without reference?—Yes; perhaps so in the case of small posts which did not really upset the budget to any extent.

37929. What powers have they of carrying out works?—They have practically all the powers within the budget; if the list is submitted it really rests with the Committee to a great extent; it is formal.

37930. Have you any Excluded Local Funds under your control?—Yes; I have one—the Pishin Fund.

37931. Does the Sub-Divisional Officer control these funds, in respect of the towns within his sub-division?—No; they are controlled by me; the details are in his charge, but the expenditure comes to me, with the exception of small amounts for the bazaars.

37932. They have extremely humble powers in regard to expending money on works for example?—Yes; but the towns are extremely humble too; Pishin is only one little street of about 10 shops.

37933. We had an example of a town with a revenue of some Rs. 20,000 per annum, and the Sub-Divisional Officer was not allowed to spend Rs. 25 on a work without getting sanction; is not that a trifling sum?—Perhaps it is.

37934. When you have scrutinized and passed the budget, would you be prepared to allow them to carry out the works contained in the budget without further sanction?—It would be better perhaps to retain the formal sanction; as a matter of fact they carry out all the works.

37935. Would you raise their powers at all?—You might give them certain powers up to, say, Rs. 200, to be spent locally. In a place like Chaman, for instance, a man might get Rs. 200 a year to spend on small things.

37936. Are there any towns where they have small sub-committees to assist the officers in working them?—I think not.

37937. Would it be a practicable thing to appoint small committees of that kind?—I do not think it would be necessary or even advisable. In a place like Pishin there is no one to form a committee; there is no one except a few small shopkeepers who have no local interest in the place; they are all outsiders.

37938. They live there?—They live there, but they are all aliens; they all come from Sind or Sukkur; there are very few people who belong to Pishin itself.

37939. That would not prevent them taking an interest in their sanitary requirements and so on?—No.

37940. You think there are no towns where this could be beneficially done?—I think not; I have only Pishin and Chaman in my district, and they are both small.

37941. Would it be more desirable in a place like Sibi?—Yes; they might have a committee there, or at any rate the panchayat might have something to say to the matter.

37942. (Mr. Meyer.) Is it a fact that resolutions passed by the Municipal Council in Quetta have to go to the Revenue Commissioner for confirmation?—No, not quite. All resolutions go to the Revenue Commissioner, but they *do not* require his confirmation; if there is anything objectionable in a resolution he can take exception to it, but I have never known of such a case.

37943. Are they simply sent for his information then?—Yes; and since I have been here I have not had any sent back.

37944. Have you always had an official Vice-President here?—Yes.

37945. Would it be possible to try a non-official Vice-President?—Yes; I think it might, because the Vice-President is appointed *ex officio*, and has a good deal of District work to do, so that he cannot always turn up.

37946. Who makes appointments under the Municipal Council?—They are talked over by the Committee, and if it is a question of a new appointment it must go up to the Commissioner, otherwise the committee can appoint.

37947. If it is a question of filling up a sanctioned appointment, can you do it?—Yes.

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37948. But if you were to decide on having a new *chaprassi* for instance, would that have to go up for sanction?—Yes; any new appointment has to go up for sanction.

37949. Is that necessary?—Smaller appointments such as those of *chaprassis* might be filled up by the Committee, but the bigger ones might as well go to the Revenue Commissioner.

37950. Where would you draw the line?—Up to appointments under Rs. 25, or perhaps even Rs. 30.

37951. You said that you had not to send up any works for specific sanction outside the budget. In the budget do you give a detailed list of the works you propose to take up?—Yes.

37952. Supposing you were going to take up a drainage scheme, would you have to get your estimates and plan sanctioned?—Yes; if it was a big scheme involving a certain amount of money we would send it up.

37953. In that case would the local Public Works Officer deal with it?—The Municipal Secretary is also the District Engineer and he would deal with it.

37954. Would he look after the works?—He is Municipal Secretary and also happens to be District Engineer. He is a local man, paid out of provincial revenues.

37955. Generally, are not your civil works in this province executed for you by the Military Works agency?—Yes.

37956. Is Quetta an exception?—No; but we have two kinds of works, one done by the Military Department, and smaller things which are done by the District Officer himself with a special allotment.

37957. How does the District Engineer come in?—He does the works which are not fortified works, the minor works, the funds for which are given to me and not to the Royal Engineer at all.

37958. Your limit with regard to those works has been Rs. 250?—Rs. 200; but now it is to be raised to Rs. 500.

37959. You spoke of the desirability of the transfer of tahsildars remaining with the Revenue Commissioner. You have a couple of tahsildars in this district; suppose you thought it would be better that they should change places, why should you not be able to move them yourself?—Perhaps there would not be any very great objection to that, but the general list should go to the Commissioner because he then sees how all the men are posted, and is in a position to move them about, if necessary.

37960. Have naib-tahsildars any jurisdiction, or do they simply assist the tahsildars?—Some of them have separate jurisdiction.

37961. Does the Revenue Commissioner post them?—Yes.

37962. There again might you not post your naib-tahsildars within your district?—Yes; we might within our own district.

37963. Your Extra-Assistant Commissioners are paid according to a time-scale?—Yes.

37964. The Local Government in its statement talks about the power of appointing Extra-Assistant Commissioners in a higher grade to start with; does that mean that they commence their pay at a higher rate than they otherwise would?—Yes.

37965. If you put a new man into an intermediate grade under an ordinary grade system, that means that some one below has his promotion deferred and there is no extra cost, whereas under this system there is extra cost?—Yes.

37966. Is that the reason why hitherto reference has been required to the Government of India?—Yes.

37967. You say that you control the primary schools in the district; do you refer to the appointments of teachers and so forth?—The personal assistant to the officer in charge of the duties of Inspector-General generally recommends them, and they come up to me for conformation, but I could appoint them.

37968. Are the secondary schools managed by the Educational Officer?—We always consult him and he could appoint a man, but all appointments come to me for confirmation.

37969. What sort of secondary schools have you?—There are both English and vernacular schools.

37970. What is the length of your service in the Political Department?—Sixteen years.

37971. Have you spent most of it in this province?—All of it.

37972. Is that a general thing?—No; but I have always somehow managed to be sent back here after my furlough.

37973. Are there other officers who have spent a good many years here?—Yes.

37974. In practice, is it the fact that officers do remain in Baluchistan for a long period of their service; or do you get men in Baluchistan one year, and sent to the Persian Gulf the next?—We have had many changes, but there are a few of us who have stuck here.

37975. (Sir Frederic Lely.) Does the Cantonment take a certain proportion of the octroi revenue?—Yes.

37976. In return for that does the Cantonment Committee become responsible for conservancy, roads, and other municipal arrangements within the cantonment limits?—Yes.

37977. Is that not a perfectly fair arrangement?—We think we pay too much, but that is a detail.

37978. But still it is a give-and-take arrangement, the exact proportions may be open to question, but the nature of the arrangement is unobjectionable?—Yes; I think so.

37979. Are you on the *cadre* of the Indian Political Department?—Yes.

37980. Is it not in consequence of appointments being made from the Political Department that transfers are so very frequent in the province?—Yes; it must be that.

37981. If it was possible to limit the area would the transfers probably not be so numerous?—Probably.

37982. (Chairman.) Would it be possible to confine the appointments in Baluchistan to the officers who are already serving there, or who are on leave beyond the province?—It would be rather too small a *cadre* for that.

37983. Can you suggest any *via media* between the present arrangement whereby the Government of India appoints the whole of the staff and a restriction on the existing *personnel*?—No. I have not considered that.

37984. You attach great importance to the right of appeal being continued as it is?—Yes; I think it should be continued. It might be misunderstood if there was any diminution which might create difficulties.

37985. Do you refer to revenue cases or disciplinary cases?—I was thinking more of disciplinary cases in that connection with regard to the establishment generally.

37986. Where do appeals with regard to subordinates end?—In the lower grades they generally take the Political Agent's decision; occasionally they go up to the Revenue Commissioner against the decision of the Political Agent.

37987. Does that not rather point to the fact that if there was one clear appeal from the original decision it would probably be sufficient?—It might; but some of the cases are so small that the officer just above can probably dispose of them, just as in my case I could probably dispose of appeals against leave without further reference.

37988. Is that satisfactory?—I think so.

37989. That would give one clear appeal, or a clear gap between the original decision and the appellate authority; is that sufficient?—I think so.

37990. Might not that amount of curtailment upon the right of appeal be found satisfactory?—I don't know; I should feel inclined to give a man a chance of going up if he wanted to; it is not done in practice much, but still a man likes to feel that he can appeal to the highest authority if he wants to.

37991. We were told by another witness that the stay in one appointment ought to range from five to ten years; would you agree with that?—No, that is unnecessarily long.

37992. What limit would you suggest for a man to stay in a division?—In three years he ought to get to know a place well.

37993. Would five years be too long?—I think so, if it was made a necessary rule; it would be hard upon a man because he might want to go on leave, or he might be ill.

37994. Have you anything to say with regard to the knowledge of officers of the vernacular?—Every district almost here has its own dialect, and it is very

difficult for officers to know them all. The longer they stay in the province of course the better chance they have of getting to know the dialects.

37995. Do you look upon the power of being able to read and write it as essential?—It is desirable, but I am afraid that many of us cannot read or write it.

37996. Is it very desirable that you should be able to do so?—I do not know about very desirable, but it would be better.

(The witness withdrew.)

Major C. ARCHER was called and examined.

37997. (Chairman.) You are at present engaged on special duty on the completion of the revenue settlement of the Quetta *tahsil*?—Yes.

An extension of financial powers is not required in this province so much as a more liberal provision of financial means. Baluchistan, as a province in which the revenues fall largely short of the unavoidable expenditure and are not capable of any considerable expansion, has suffered from the rigid application in the quasi-provincial settlements made with her of the rules which prescribe that the standard of expenditure fixed for a new settlement shall be regulated by the sanctioned estimates for the last year of the expiring settlement, and that increased expenditure during the term of the settlement must be met from savings or from development of revenues. The result here has been that the objects which provincial settlements are intended to serve have not been fully attained, because the provincial Government has been unable to meet the natural and unavoidable growth of expenditure during the course of the settlement, and has been compelled on the one hand to cut down expenditure on Public Works below the minimum necessary for efficiency, and on the other hand to make repeated applications to the Imperial Government for additional assignments. This state of things conduces neither to efficiency nor to economy, and entails much needless clerical labour. If the system of provincialized finance is to work satisfactorily in the case of Baluchistan, the assignments from imperial revenues should be fixed on a scale which will admit of reasonable expansion of expenditure during the currency of the settlements. In the settlement which will come into effect from the 1st April, 1908, the Government of India have decided that "while the whole of the revenue hitherto treated as quasi-provincial shall be included in the provincial assignment, the provincial responsibility for expenditure heads shall be limited to one-half." It is not quite clear whether the powers of the provincial Government to sanction expenditure, etc., will remain the same under this new arrangement as under the old. If so, the change should effect a considerable improvement. There cannot be any more complete separation between the finances of Baluchistan and the Imperial finances, seeing that Baluchistan is, and, so far as can be foreseen, must remain, dependent on the Imperial revenues for making up the large deficit left by the excess of expenditure over revenue.

Borrowing powers are not required by the Local Government of this province.

I am inclined to doubt whether any delegation of further financial powers to provincial Governments in regard to the creation of appointments or raising the pay of existing posts is possible or desirable. It would be advantageous if the Local Government of Baluchistan were given larger administrative powers in the matter of the grant of assignments of land revenue (*mafis*). At present the Local Government can sanction the grant at a land revenue settlement of fresh *mafis* not exceeding Rs. 100 per annum in value each for life or for the term of settlement; and, with respect to grants other than those for village service or for a religious, charitable or other analogous institution, it has the power of continuing such grants on lapse for a single life, subject to the provision that the sanction of the Government of India is necessary when the amount of the grant to be continued (a) exceeds one-half of the sum enjoyed by the last grantee and is more than Rs. 50 per annum; (b) does not exceed one-half of the sum enjoyed by the last grantee and is more than Rs. 1,000 per annum. The Local Government might suitably be given power to sanction at any time assignments of land revenue not exceeding Rs. 200 per

annum in value each, a tabular statement of all such grants being submitted annually to the Government of India for confirmation. As regards renewal the rules might remain as at present, with the substitution of Rs. 100 for Rs. 50 as the limit prescribed by proviso (a).

Section 10 of the Baluchistan Forest Law and Regulation requires that the Agent to the Governor-General and Chief Commissioner shall obtain the previous sanction of the Governor-General in Council before declaring a forest area to be no longer a State forest. This restriction might safely be removed, the matter being one that might well be left to the discretion of the Local Government. The relaxation could best be effected by an amendment of the Forest Law and Regulations.

The influence of the departments of the Government of India tends at times in the direction of excessive rigidity and uniformity. The tendency is, of course, not invariable, and many instances could be cited where the Government of India has permitted deviations from rigid uniformity in deference to representations based on local requirements and conditions. An instance of this kind was the cancellation, on the urgent representation of the Local Administration, of the orders issued in 1905 transferring the Baluchistan Railway Police to the charge of the Bombay Police Department. A recent instance of the enforcement of exact uniformity at the cost of administrative and political inconvenience is furnished by the orders passed in 1905-06 prohibiting the local manufacture of earth-salt in the Nasirabad *tahsil* of this Agency, which orders have been maintained in the face of strong representations by the provincial Government of the inexpediency of the measure. The remedy which suggests itself is that there should be established a freer and more frequent interchange of officers between the Secretariat and the executive branches, so that a more intimate and living realization of the importance to be attached to local conditions and considerations may be maintained in the Secretariats of the various departments.

The Government of India appears at times somewhat too impersonal. I do not think that Government usually gives too much weight to considerations of revenue; in regard to which its policy seems as a rule liberal and even generous. In so far as there is a tendency to undue rigidity and impersonality it is more often due to a too strict adherence to what are known as "established principles of the Government of India," which are founded on the practice of the past, but are not always applicable to the conditions of the present or the future.

I would not curtail the right of appeal to the Government of India now granted in respect of administrative action. Such appeals give some trouble, but they provide a valuable safety valve, and in some cases, however rare, they may lead to the removal of hardship or the redress of injustice. I do not think it desirable that a rule should be laid down requiring a preliminary certificate as to the admissibility of the appeal from the officer whose decision is appealed against. Few men or authorities can fairly be expected to judge impartially whether reasonable grounds of appeal against their own orders exist. For similar reasons I would not curtail the right of appeal to the Government of India now granted to officers of Government.

The returns and information called for by the Government of India from the Local Government frequently have little or no relevance to the conditions existing in a new and backward province like this. It would save a considerable amount of correspondence and

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would relieve District Officers of a certain amount of unnecessary work if it were understood that when in the opinion of the Local Government it is impracticable or undesirable to render a return or furnish any information required, its opinion to this effect should ordinarily be accepted, without an elaborate statement of reasons, the compilation of which sometimes gives trouble and consumes time which might be more usefully employed.

There are no Commissioners of divisions in Baluchistan. In one or two minor matters large powers might advantageously be given to the Revenue Commissioner. For instance, he might suitably be empowered to sanction local printing, and also to sanction additions to and modifications of the list of Baluchistan Agency standard forms. Deputy Commissioners (Political Agents) might suitably be given a freer hand in regard to the expenditure of the grants placed at their disposal for Public Works. Under the new rules which it is proposed to introduce in respect to loans to agriculturists under the Land Improvement Loans Act and the Agriculturists' Loans Act, Deputy Commissioners (Political Agents) will be empowered to delegate to Sub-Divisional Officers the power of granting loans under these Acts on certain conditions and within certain limits. Certain powers vested in the Local Government by the Civil Service Regulations or other financial rules have recently (1905) been delegated to the Revenue Commissioner in Baluchistan with the sanction of Government. I do not think there is any pressing necessity for the delegation of further powers.

The influence of the provincial Government of Baluchistan has rarely, if ever, been in the direction of excessive rigidity or uniformity. The provincial secretariat does not tend, as a rule, to regard matters too much from a departmental standpoint. The Baluchistan provincial Government has, I think, never been too impersonal; nor, except in the case of one administration, now at an end, too much dominated by considerations of revenue.

The opportunities enjoyed by District Officers for personal contact and intercourse with the people are fewer than they should be, owing to their being too much occupied and tied to headquarters by office work. The evil is most marked in the case of the Political Agent, Quetta-Pishin, who has much heavier judicial work than any of the other District Officers, and who has, besides, heavy and hampering work as President of the Quetta municipality. The Revenue and Judicial Commissioner has also too much office work to permit of his touring as freely as he should do. The office work of District Officers might be lightened to some extent by refraining from calling on them for reports on matters referred by Government as to which, in the opinion of the Local Government, returns or information cannot usefully be furnished, and by modifying Article 1162 of the Civil Service Regulations and Note 2 to Article 91 of the Civil Account Code so as to permit District Officers to delegate the duty of countersigning travelling allowance bills and detailed contingent bills to qualified gazetted subordinates.

Executive Officers usually possess a fair working knowledge of the vernaculars. The only instances known to me in which ignorance of the vernaculars has been a serious drawback to an officer's work are cases of officers transferred to executive posts after being so long in an Indian Secretariat as to have lost touch with the people and the language.

I do not think a general increase of the administrative staff or a general reduction in the area of district or other charges is required. Additional Assistant Political Agents might with great advantage be appointed to the Upper Zhob and probably also the Barkhan sub-divisions. But what is most urgently required is that steps should be taken to ensure that the posts which already exist shall be continuously and effectively filled. It is seldom that the Government of India in the Foreign Department (which, in such matters, is our Local Government) is in a position to supply the province with its full complement of officers. One or other district is almost permanently shorthanded, and this shorthandedness is most injurious to efficiency. The root of this serious evil lies in the faulty methods of organization and recruitment of the Political Department. As a palliative measure at least one junior British officer, who has passed the departmental tests, should be

attached to the headquarters of the province in addition to the ordinary Secretariat staff, so that the provincial Government may be in a position to fill up at once any vacancy in the districts for which the Government of India finds itself unable, for the time being, to provide.

Transfers of officers are undesirably frequent. It has been a common thing for an officer to hold three or four different posts in the course of a year, and several cases have recently occurred in which junior officers who had just learned to know their districts or sub-divisions and had begun to be of real use, have been transferred, much against their wish, to political posts in Persia or elsewhere, in which their administrative training was of no use to them; their appointments here being left vacant for long periods, or at best filled by new officers who had still to learn the district and the work. Against this evil, too, the provincial Government is at present powerless. The only effective remedies would be:—

(a) The re-organization of the Political Department on the lines of an ordinary Indian Commission, the methods of recruitment and promotion being adopted which have been found necessary in the case of such Commissions, and a sufficient reserve being maintained.

(b) The clear recognition of the fact that a large proportion of the appointments in the Political Department, including nearly all the Baluchistan appointments, are now partly or wholly of an administrative character, and of the principles that frequent transfers of officers holding administrative charges are particularly harmful, and that whenever possible, the fresh calls which must from time to time occur for Political Officers should be met from among the incumbents of purely political posts.

(c) A more careful observance of the principles laid down in Article 197 of the Civil Service Regulations regarding the grant, etc., of leave, and particularly of the provisions of clause (b); "The Local Government\* may refuse to grant the full amount of leave applied for in any case, and should, by the exercise of this power, so regulate the date of an officer's return from leave, as to cause as little change as possible in administrative arrangements."

I do not consider that larger powers are required for the Quetta municipality, the only one now existing in Baluchistan, or that its functions could be suitably extended. We have at present no District Boards.

The institution of *jirgas* or Councils of Elders, which is indigenous to Baluchistan already furnishes us with Advisory Councils. These Councils sit almost constantly at the headquarters of each district, subdivision or *tahsil*, and any matters which the local *jirgas* cannot dispose of are referred to general *jirgas* of the notables of the whole province (known as *shahi* or royal *jirgas*) which meet in the spring at Sibi and in the autumn at Quetta. The duties of these Councils are primarily judicial, and they are often convened under the provisions of the Frontier Crimes Regulation, but in fact their functions are not confined to those laid down in the Regulation, and they are of great value as Advisory Councils in matters of general administration and as interpreters of the customs and wishes of the people. In addition to the formally constituted *jirgas*, it is a well-established practice for District Officers when on tour to hold informal assemblies (which are called "*darbars*" but have none of the formality of an Indian *darbar*) of the notables and headmen of each locality, and to discuss with them freely any local affairs which require settlement. Such an assembly, where, owing to its public and comprehensive character, facts and feelings cannot be misrepresented without the practical certainty of immediate detection, is a much more effective instrument for arriving at a clear and sympathetic understanding of the condition and wishes of the people than would be a selected or elected Council, which could hardly fail to lend itself to faction and intrigue. To endeavour to formalize these indigenous institutions

\* i.e., in this case the Government of India in the Foreign Department.



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by embodying them in rules or enactments would be very likely to destroy their usefulness. The *jirgas* may be regarded as Administrative Councils in the sense that they take part in the judicial administration. I do not think any other form of Administrative Council is at present possible or desirable.

I do not think that village communities as such could be given greater powers in the disposal of local affairs. The most important members of such communities already exercise not unimportant powers in criminal and civil cases, as members of the *jirgas* referred to above.

37998. You heard the evidence of the former witness as to the method of land revenue assessment; was what he said correct?—It was practically correct.

37999. How long is your settlement for here?—The settlement just expired was for ten years; the one which I am now carrying out has not been fixed as to term, but I shall have to make proposals on the subject.

38000. What length of time should a settlement stand good for?—I intend to propose only ten years, in the case of the Quetta *tahsil*, because I do not think the conditions are sufficiently permanent to make it safe to have a longer term.

38001. Is that from the point of view of a possible increase or decrease?—From both points of view. If the number of troops increases largely here there would be a possibility within ten years, in some parts, of a considerable increase; on the other hand everything in this country depends on irrigation, and there is very little certainty about the irrigation sources over a term of years; we have not yet been long enough here to know precisely how they will act in the long run.

38002. Is the whole of the crop here irrigated?—Practically; in a good year there is a certain amount of rain cultivation, but only in good years.

38003. Might Assistant Commissioners and tahsildars be given any power of remission or suspension?—I hardly think it is necessary. I think a mistake has been made in the previous evidence as to the Political Agent's powers. The Political Agent has power to suspend, and does suspend, subject to report to the Revenue Commissioner, and communication is so rapid and easy between Political Agents and the Revenue Commissioner that I do not think there is really any necessity to give local officers powers of remission; they have simply to represent the matter, with the necessary details, and orders can be given at once. No Political Agent would hesitate to suspend, pending reference to the Revenue Commissioner.

38004. Do you say the same with reference to *takavi*?—Yes; I do not think there is any necessity for an extension of the existing powers. There is very little rigidity in our system of collecting *takavi*; we do not press a man who is really unable to pay punctually, and it is only a question of a little more interest accruing.

38005. But what do you say as to making advances originally?—There is a proposal to give certain powers to Sub-Divisional Officers to grant *takavi*, which I think is desirable.

38006. But you would not delegate the power as far as a tahsildar?—No; it should stop with the Sub-Divisional Officer for the present.

38007. You say that you have been obliged to cut down expenditure and that you have had to make repeated applications to Government for additional assignments; have you generally got those assignments?—No; we have sometimes got them, but not as much as we have asked for, and in other cases they have been refused.

38008. Is the present settlement, that is to say the 1908 settlement, which is now coming into operation, on the whole satisfactory?—I can hardly judge. I confess I do not quite understand what the working of the new conditions will be, but, of course, there is much to be said in favour of the view that where there is practically no increase in revenue, it really does not matter whether you have to meet little or much of an increase in expenditure—you cannot do it.

38009. In the case of any future increase in expenditure are you to bear one-half and the Government of India the other half?—Quite so.

38010. Is that an improvement on the existing state of affairs?—It will be so, if at the settlement a reasonable margin is allowed for the necessary growth of expenditure; that is, if in the standard which is fixed for our assignment by the Government of India, a reasonable allowance is made for the necessary growth of expenditure during the currency of the settlement.

38011. But this settlement would not come to you in the course of your ordinary work unless you were conducting the negotiations at the time you were acting?—It was I who sent up the proposals for a settlement.

38012. And in that settlement were the Local Government fully consulted, and given reasonable opportunities of presenting their case?—The procedure was that I submitted to the Local Government proposals for a settlement, asking for a certain standard of expenditure and a certain annual assignment. The Local Government forwarded my proposals, with its own comments, and the Government of India passed orders, reducing our proposals to a certain extent and making this new condition as to meeting half the new expenditure.

38013. Why do you want larger powers as to the grant of assignments?—That is what are called *mafis*. Certain persons are allowed to go revenue free, or the revenues of certain villages are assigned to influential men, and under the present rules the Local Government has only power to grant this at a land revenue settlement, such as is for instance going on here, and then only within certain very narrow limits; not exceeding Rs. 100 per annum in value each for life or for the term of settlement; I would give power to sanction up to Rs. 200 each at any time, without reference to whether there is a settlement in progress or not.

38014. How many such grants would you make in a year?—Probably very few indeed; it is more the power than anything else; their importance in the eyes of donees is far in excess of their intrinsic value; they are looked on as a mark of honour. I do not suppose in the whole of Baluchistan there would be occasion to make more than half a dozen such grants a year.

38015. Would not such a grant be debited half to the provincial and half to the Imperial Government?—No; it would come entirely against the provincial Government; it is a mere deduction from revenue; it is not expenditure in any way.

38016. You say that there ought to be a freer interchange between officers of the Secretariat and executive branches; do you mean the Secretariat of the Government of India or the Local Government?—I mean more especially the Secretariat of the Government of India.

38017. Were you not in the Government of India?—Yes; as Assistant Secretary for a year; but it is a long time ago.

38018. Was there a sufficient knowledge of local conditions in the Secretariat, or were people rather apt to be bound by paper regulations?—I thought so. One thing that struck me at the time was (of course it is something that might not occur now) that as to the only province I knew anything of at that time, namely Baluchistan, no cases concerning it ever came near me at all, and I dealt simply with provinces as to which I knew, first-hand, nothing. I did my best to express my opinions on the subjects brought before me, but I felt at times that the want of first-hand knowledge hampered me considerably.

38019. How long ago is it since you were at the Government of India?—In the year 1891, 17 years ago.

38020. And things may have altered since then?—Very likely.

38021. You also emphasise the fact that District Officers are not in sufficiently close touch with the people?—Yes; their desk work ties them too much; they do not have enough time to go about.

38022. Do you think the last witness was correct in saying it would be impossible, in the case of the officers in charge of the Quetta district, to give up the Presidency of the municipality in favour of a non-official?—I think so at present; the Deputy Commissioner must remain President.

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38023. With regard to the Vice-President, would you agree that some one could be found to take his place?—It would be difficult. There is one thing in favour of an official Vice-President, namely, that it avoids all chance of local jealousies. Another point of importance is that the Political Agent must occasionally be on tour and so forth, and in his absence the Vice-President takes the chair at the municipal meetings, and it certainly is of importance that the Vice-President should know the Political Agent's policy in regard to municipal matters and should endeavour to carry it out.

38024. Is not the Quetta municipality the most important in Baluchistan?—It is the only actual municipality in Baluchistan.

38025. And with the possible exception, perhaps, of Sibi, there is no other centre of municipal life?—No.

38026. With regard to the vernacular, you say that officers possess a fair working knowledge of it; what do you mean exactly?—They have a knowledge which will enable them to get on in talking with the common people about the common matters of every-day life. Officers very rarely possess the power of reading Urdu, or writing it, fluently.

38027. Is it desirable that they should have that power?—It is a counsel of perfection; it would take an enormous amount of time to learn to read and write it sufficiently fluently to carry on one's whole work oneself, and it would probably ruin the eyesight of a great many officers; it is very desirable that a man should be able to read a thing if necessary in order to make quite sure that he is being told the truth, but to gain sufficient knowledge of the vernacular so as to be able to read easily all the vernacular work which comes in would mean a very long course of training, and to try to do it without great fluency would be an enormous waste of time.

38028. Was it done formerly?—I should doubt it very much.

38029. Was it not done in the times when there were no English-speaking clerks?—There never has been such a time in Baluchistan; there have always been people available who could translate the vernacular into English.

38030. (Sir Frederic Lely.) You advocate disafforestation at the discretion of the Local Government; most of the land under forest in Baluchistan is not very good land?—No; it is usually hilly, rocky, mountainous country.

38031. To foresee the time when it may be covered with trees requires a good deal of patience?—Yes.

38032. Supposing an area has been reserved for 30 or 40 or 50 years, and a crop is just beginning to appear, would you put it in the power of the Local Government to give up that area?—It is very unlikely that the Local Government would ever lose any chance of maintaining a really useful forest area, and I can hardly conceive their doing such a thing, especially in such a country as Baluchistan, where forests are so very rare and very precious. The real case I had in mind in making the suggestion was the case of a tract what we call a grass *rak*—near the Loralai cantonment, which was reserved under the Forest Law with the idea that cavalry might get grass there; but it was never of any use for such a purpose as the grass did not grow sufficiently freely, and it was agreed that it should be disafforested. The people considered themselves injured with regard to the matter and were perpetually petitioning about it, so I recommended that it should be disafforested, but before it could be done the whole case had to go up to the Government of India.

38033. Where action of that kind involves the abandonment of a policy which has been followed for many years, should not every safeguard be adopted to prevent any sudden and ill-considered change?—Possibly in theory it ought to be so, but in practice I do not think, in this province at any rate, there can be any possibility of any valuable forest being given up.

38034. Would you approve of an arrangement that the Local Government might have power to disafforest an area limited, say, to 200 or 100 acres, which would provide for all small cases?—This particular case I refer to was a matter of a good many square miles, although it was absolutely worthless land except for grazing purposes. The question is largely academical; it might not occur once in ten years that there was any

proposal of the sort. It is somewhat inconsistent that the Local Government should be able to reserve forest without reference to the Government of India, and should not be able to undo its own work, so to speak.

38035. Would you advocate dividing the *cadre* of the Political Department into two distinct divisions, administrative and political?—No; not at present. I do not think there should be water-tight compartments between the two branches of the Service, but a general recognition of the fact that it is desirable, where possible, to use men who have held administrative posts for administrative work and *vice versa*.

38036. Is it not a fact that a great majority of the natives themselves are not able to read ordinary official manuscript?—Quite so. I have very often had to help my *sharishdadar* to read a petition when he has gone wrong simply through reading the letters and not following the sense, while I, knowing the sense, have been able to suggest the true reading of a word which he had taken for something else. It is an exceedingly difficult thing to read anyone else's writing in Urdu.

38037. Therefore would your attitude be that though you would encourage men to practice the reading of manuscript, you would not make it a *sine quâ non*?—I do not think it should be.

38038. But it is a most useful accomplishment, once acquired?—Most useful, undoubtedly.

38039. (Mr. Dutt.) How is the land revenue fixed, is it field by field, or estate by estate, or village by village?—Estate by estate; what we call a *mahal*.

38040. What is the average extent of a *mahal*?—They vary enormously; some of them run to 400 or 500, or even 1,000 acres, and others will only be about 6 acres.

38041. Is the whole of a *mahal* owned by one proprietor?—No; usually by several, and sometimes by a large number.

38042. Do you fix the revenue payable by the *mahal* as a whole?—Yes; and then assist them to distribute it over the holdings.

38043. When you have fixed the rates is it made known to the people, or done in consultation with them?—The procedure is that you first get sanction to the total assessment of the *tahsil*—what you think the *tahsil* can pay—within certain limits. Suppose one says, "The revenue which I consider after full enquiry this *tahsil* can pay is between Rs. 40,000 and Rs. 50,000." You then set to work to distribute it over the *mahals*; you have the people of each *mahal* up and talk the whole matter over; you tell them what you think they ought to pay; they state what they have to say in the matter, and the thing is finally settled.

38044. If in the course of discussion you find the original estimate is too high or too low, do you modify it accordingly?—Yes; you modify it slightly.

38045. Then is it sent up to the Local Government for sanction?—Yes; through the Revenue Commissioner.

38046. Is it sanctioned ultimately by the Local Government or by the Government of India?—The former settlement was sanctioned by the Government of India, but the Punjab Land Revenue Act has now been applied with certain slight modifications, to the Quetta and Pishin *tahsils*, and this present settlement will be sanctioned by the Local Government and reported for information to the Government of India.

38047. After the settlement has been proclaimed, if anybody has any objection or appeal to bring forward, has he a chance of doing so?—Yes; there are certain provisions to that effect in the Punjab Land Revenue Law.

38048. Does the appeal go to the Revenue Commissioner?—Yes; the Revenue Commissioner exercises the functions of Financial Commissioner under the law.

38049. Are there any large irrigation works executed by Government?—Not in this *tahsil*; in the Pishin *tahsil* there are.

38050. Is an irrigation rate imposed?—Yes; on the land irrigated by those works; the revenue is taken by division of crops, there is no fixed assessment, and the rate is a third instead of a sixth, as it usually is elsewhere. That is in consequence of the irrigation being supplied by Government.



38051. Have you no irrigation works in any other place where the revenue is taken in money and not in kind?—In the Nasirabad *tahsil*, which has been recently taken over, which is irrigated from the Sind canals, there is what is called an irrigation rate, that is to say, there is an irrigation settlement. The area under crop is measured, and according to the crop on land a certain rate of revenue is charged, half of which goes to the Bombay Irrigation Department, and half as land revenue to the local revenues.

38052. In those cases is the irrigation rate consolidated with the land rate?—Yes.

38053. (*Mr. Hichens.*) What is the rule with regard to appeals by officials?—The first appeal would lie to the Political Agent against any Sub-divisional Officer's order.

38054. Do you mean if a Sub-Divisional Officer dismisses a man?—He could not dismiss, only the authority that appoints can dismiss, and the Political Agent is the authority that appoints.

38055. Can the Political Agent dismiss a man?—Yes. An appeal would lie to the Revenue Commissioner and then to the Agent of the Governor-General.

38056. What are the rules as to appeals to the Government of India?—I am not sure.

38057. At any rate, whatever they are, should they remain as at present?—I think so. I do not think there is any harm in appealing to the Government of India.

38058. If there is at present an appeal to the Government of India, you would keep it, and if there is not, you would not grant it, the idea being that it is not worth while altering the existing state of affairs, because it would create discontent?—Yes; it would create a certain amount of discontent; and there is also the possibility that the lower authorities may have overlooked some point which ought to have been taken into account.

38059. Is it necessary to go beyond the Agent to the Governor-General in the way of appeal?—As a matter of practice people very seldom do, but I should be inclined to leave the power.

38060. Even if there is not a power of appeal, it is open to anybody to send in a petition?—I do not think you can restrict the right to send in petitions.

38061. Then you could hardly prevent either the Local Government or the Government of India from considering those petitions?—No.

38062. Therefore you would not gain very much even if you did restrict the right?—No; any one who imagines himself aggrieved will usually go on to the very last authority he can reach, and it rests with that authority what they will do, with his appeal or petition.

38063. Do you agree with many of the other witnesses that transfers are very frequent?—Yes; very frequent.

38064. Do you agree that three years is a reasonable time for an officer to remain in one district?—I doubt the possibility of laying down any hard-and-fast rule in the matter, or at least of laying down any rule that will be conformed to. The exigencies of the Service will require that an officer shall be transferred before he has done three years' or five years' service, and it would be impossible to keep him for any fixed time. I would suggest that more attention should be paid to recruiting, so that there shall be sufficient officers for all the places, and not too many officers, and that care and attention should be given to the principles governing the grant of leave.

38065. Would you retain the present arrangement by which officers are recruited for Baluchistan?—Yes; I think so.

38066. You would not have a separate Commission for Baluchistan?—No; the *cadre* would be altogether too small.

38067. Is it desirable, where possible, that officers should remain their whole service, in Baluchistan, from the point of view of the Public, or even from the point of view of efficient work?—I should say not; I should say certainly that officers should not remain all their time here—there should not be a sort of *sub-cadre* for Baluchistan. Exchanges between provinces within limits are decidedly desirable.

38068. How long would it take a man to get to know a district?—He should know his district pretty well within a year.

38069. Including the language?—Not if he has not known the language before. *Major Archer.*

38070. Are there objections to an officer remaining say ten years in one district, from the point of view of the efficient administration of the district?—It is such a quite unheard-of contingency that I really hardly know what would happen. *20 Mar., 1908.*

38071. It has been stated on more than one occasion that an officer might get into a groove, and it would be desirable to transfer him?—In his own interest it would be desirable, and probably, in the long run, it would be in the interests of general efficiency, because no doubt he would get into a groove.

38072. So that you think in the interests of general efficiency it is not desirable to keep a man for a long time in one district?—I think not; the term which was suggested by a previous witness was distinctly too long when he said that five years should be a minimum and ten years the maximum.

38073. What is the control of the Foreign Department over the British districts of Baluchistan?—The Foreign Department has the same control as it has, for instance, over the North-West Frontier Province.

38074. In practice, do they exercise that control, or are they merely a post office?—In a sense they are largely a post office no doubt. Questions concerning law, for instance, would go to the Legal Department for advice, and in the same way, the Revenue and Agriculture and the Finance Departments would be consulted, and the Foreign Department would, as a rule, follow the suggestions received from these other departments.

38075. Apart from political questions, all the Foreign Department is really concerned with is the appointment of officers?—Yes; that is the only thing they really control. Of course they very often modify the suggestions of other departments; I do not say they are always accepted in their entirety at all; I have frequently myself modified a draft sent to me by another department, which I saw would not do.

38076. Then the Foreign Department does exercise a certain influence?—Certainly it does.

38077. Is that desirable?—Certainly; most desirable.

38078. Why; what special knowledge can it have?—It has the advice of its local officers, and it has their special knowledge at its disposal.

38079. But not more than any other department of Government?—But it can judge of the weight of that knowledge much better than any other department can, and is less influenced by special departmental considerations and more by political considerations.

38080. Taking British Baluchistan proper and the Agency territories, to all intents and purposes are they not in the same position as, for instance, the Punjab, from the administrative point of view?—No; I think not. There is a very marked distinction in the fact that a great deal of the law administered in Baluchistan is not British Indian Law at all, but customary local law—the law administered by *jirgas* and so forth.

38081. (*Mr. Meyer.*) It has been stated that there have been many transfers in the province from one district to another; is that the case?—Yes, there have been many transfers no doubt.

38082. What is the object of that? Your pay is by personal grading, so that, so far as pay is concerned, it profits a man nothing whether he is at Quetta or whether he is at Sibi?—At present it does not, but formerly there used to be certain local allowances which were larger in some districts than in others. They have now been abolished.

38083. Have the local allowances had anything to do with transfers?—Nothing whatever, I should think.

38084. A man was not transferred to a district in which there were considerable local allowances because he was a senior officer, and the district was popular?—No; as a matter of fact the largest allowances were made for the outlying and unpopular districts.

38085. One can understand the Foreign Department finding it expedient to move a man from here to Rajputana and *vice versa*, but why should they be always moving him about within the province itself?—I cannot say. Changes in which I myself have been personally concerned have been between the Political Agent's office at Quetta and the Revenue Commissioner's office. I have been Political Agent at Quetta

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and officiating Revenue Commissioner alternately eleven times during the last four years ; those changes were involved in other changes in the department, and were partly officiating appointments, so that, every time I went to officiate as Revenue Commissioner, someone had to be brought to officiate here as Political Agent, which would account by my case alone for a considerable number of changes ; probably there are many other similar cases.

38086. As regards the suggestion that greater stability might be secured by having a separate *cadre* or *sub-cadre* for Baluchistan, you said that the number of men was too small ; but might that not be remedied to a certain extent by a time-scale ?—It might, as far as promotion is concerned, but then the question of getting into a groove comes in. I doubt whether it would be advisable to have such a very small Commission, and it has, I believe, been found undesirable elsewhere.

38087. Do you share Mr. Williams' scepticism as to the expanding character of the provincial revenues ?—I am afraid they will not expand.

38088. Have they not expanded in the past ?—The chief expansion has been in excise revenue, which is one that, it is to be hoped, will not be carried much further. There has not been any really large expansion, I think, in land revenue.

38089. I find from the Gazetteer that at the time of the settlement of 1897 the provincial revenue was supposed to be 9½ lakhs, while at the present settlement it has increased to 13 lakhs. So there has been an increase of about 50 per cent. ?—Yes, but a large *tahsil*, the Nasirabad *tahsil*, has been added, which accounts for perhaps a lakh and a half, and there are also great fluctuations in the revenue, which goes up and down. There is another factor—a smaller one—in that expansion, namely, that the receipts under police have been nominally raised by a change in the system of accounts ; all receipts from municipalities and so forth are now shewn in the accounts as receipts, the corresponding payments being shewn on the expenditure side.

38090. Then you think the province has not a good economic future before it ?—The only possible directions I can see in which it has are excise, and probably mining—one cannot say positively as to the latter, but no doubt there are possibilities in that direction.

38091. The Local Government proposes to provincialize *takavi* ; that means that the Local Government may get a profit out of it, but on the other hand it is responsible to the Government of India for any bad debts ?—Yes.

38092. Would it be safe for a Local Government, without any expanding revenues, to undertake that responsibility ?—I should doubt it, if at present we were not responsible for bad debts. I think the Comptroller of India Treasuries has charged us with all *takavi* loans which have been written off.

38093. Is it part of your settlement ?—No ; it is not part of our settlement ; it is nominally an imperial head, but I remember some correspondence in which, I think, subject to correction, they charged us with certain items which had been written off as bad debts.

38094. I suppose you objected ?—No doubt, but what the result was I do not know.

38095. Is it correct to say that the Revenue Commissioner appoints *tahsildars* and *naib-tahsildars* ?—No ; he does not actually appoint them ; the Local Government make the appointments in both cases.

38096. What pay does a *naib-tahsildar* get ?—From Rs. 65 to Rs. 85—there are three grades.

38097. And the *tahsildar* ?—From Rs. 125 to Rs. 250.

38098. Might not the Revenue Commissioner have power to appoint these subordinate officers ?—It is better on the whole that it should remain in the hands of the Local Government ; political considerations are so bound up with administration here, that it is very important the Agent to the Governor-General should have full knowledge of who is holding executive charge in each *tahsil* of the Agency, and, when necessary, should express his views on the subject.

38099. Who posts them from place to place ?—I think the Revenue Commissioner has that power, but I am not absolutely certain, because the orders have been changed several times lately.

38100. The last witness said he saw no reason why the Political Agent or the Deputy Commissioner should not transfer *tahsildars* and *naib-tahsildars* within his own district ; do you agree with that ?—No ; I think the Revenue Commissioner should continue to do that for several reasons. The whole *cadre* is arranged by the Revenue Commissioner, subject to the supervision of the Local Government, and he really is the best judge in the long run, as to what man should go to any particular place, and he always does consult District Officers most freely on the subject. If a District Officer made a suggestion that a man should be transferred within his district, I imagine in almost every case it would be acted upon.

38101. That being so, why should you not give power to the District Officer *de jure* as well as *de facto* ?—In nine cases out of ten it might be all right ; but in the tenth case there might be a serious objection.

38102. Can the District Officer appoint his own establishment ?—He can appoint it all except his head clerk and *sharishtadar*.

38103. Are they separate officers ?—Yes ; the head clerk is in charge of the English part of the office, and the *sharishtadar* is over the vernacular part of the office ; they are appointed by the Deputy Commissioner with the sanction of the Revenue Commissioner.

38104. The Sub-Divisional Officer has no power of appointment ?—I think he has none.

38105. Might he not appoint his junior clerks and his peons at any rate ?—I am not sure about peons—whether he does not as a matter of fact appoint ; but as to clerks I am afraid it would not do. The recruitment of clerks is a very difficult matter here. In fact there are orders that no candidates even are to be admitted to work in offices, without the sanction of the Local Government, or it may be now the Revenue Commissioner, the reason being that when a man gets a footing in an office it is exceedingly difficult to prevent his getting a permanent appointment, and it is impossible to do what is very desirable, namely, get the people of the country into Government employment, if large numbers of outsiders obtain a footing in that way. The outsider is nearly always the cleverer, and a Sub-Divisional Officer would naturally prefer to have an efficient man rather than an inefficient one. If he were allowed to appoint his own men, we should never obtain anything like a reasonable proportion of local men in our offices.

38106. You think the Sub-Divisional Officer would appoint the more efficient outsider ?—As a rule he would ; but at present he can only appoint from candidates approved by the Local Government : there is some limitation there.

38107. When you have finished your settlement report, will it go to the District Officer for his remarks ?—No ; I do not think it will ; it will go straight to the Revenue Commissioner.

38108. Ought not the District Officer to have some say in a settlement that will affect his district ?—Yes ; perhaps he should.

38109. Do you generally have special Settlement Officers, or is the settlement usually done by the District Officer himself, or one of his assistants ?—Hitherto the settlement has been always done by the Revenue Commissioner, in addition to his own work—that is to say the actual settlement.

38110. But the work in the fields and the local enquiries cannot be done by the Revenue Commissioner ?—The actual measurement work and the preparation of the records is in the hands of an Extra-Assistant Commissioner, in charge of the Settlement Department, but hitherto, whenever a cash assessment has been imposed, which has only been as yet in four *tahsils*, it has been fixed by the Revenue Commissioner.

38111. So that the District Officer has not been informed of what is a matter of vital importance to his district ?—I have no doubt he has been freely consulted unofficially.

38112. Are you in favour of his having more voice in the matter ?—Yes ; I should certainly not propose that the report should be made to him in any way, but he should see it and comment on it, if he thinks fit.

(The witness withdrew.)

Adjourned.

## NORTH-WEST FRONTIER PROVINCE.

## SIXTY-FIRST DAY.

PESHAWAR, *Friday, the March 27th 1908.*

## PRESENT :

C. E. H. HOBHOUSE, Esq., M.P., Under-Secretary of State for India, *Chairman.*Sir FREDERIC LELY, K.C.I.E., C.S.I.  
Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.  
R. C. DUTT, Esq., C.I.E.W. S. MEYER, Esq., C.I.E., I.C.S.  
W. L. HICHENS, Esq.

Mr. A. H. GRANT, C.I.E., I.C.S., was called and examined.

38113. (*Chairman.*) You are Secretary to the Chief Commissioner of the North-West Frontier Province? —Yes, since the formation of the province in November 1901. I have charge of the Political Department, that is, frontier work and the postings of Gazetted Officers, all Gazette work connected with the officers of the province except tahsildars and Munsifs (who are managed by the Revenue and Judicial Commissioners); and all questions relating to the Jail, Police, Education, and Medical Departments, and the general administration, come from the Heads of the Departments through me to the Chief Commissioner.

My duties comprise all the matters dealt with by the Local Administration, except revenue questions and Public Works. The most important matters dealt with by me are political appointments, jails, police, education and medical.

The districts and agencies forming the North-West Frontier Province were separated from the Punjab with effect from the 9th November 1901 and formed into a separate Administration. The object of this change was briefly to bring the control of frontier affairs more directly under the Government of India, and at the same time to secure for the Frontier Administration the best expert adviser available. The province consists of (1) five settled districts, *viz.*, Hazara, Peshawar, Kohat, Bannu and Dera Ismail Khan, which are administered more or less exactly on the lines of the ordinary settled districts of the Punjab, except that the existence of the border involves certain political considerations which do not come within the scope of ordinary district work in the Punjab; (2) five trans-border agencies, *viz.*, Dir, Swat and Chitral, Khyber, Kurram, Tochi and Wana. These agencies comprise (a) protected, (b) unprotected areas. In the former (a) Government maintain peace and order either in accordance with the regular law of British India or with the tribal law of the locality—the practice varying according to the nature of the case and locality. In the latter (b) Government merely exercise a general political control without attempting to maintain internal peace or order.

The Head of the Administration of the North-West Frontier Province is the Chief Commissioner and Agent to the Governor-General. In the first capacity this officer administers the settled districts of the province; in the second he conducts the political relations with the tribes living between the administrative boundary and the Durand Line. He is assisted by a Secretary, and Assistant Secretary, a Personal Assistant, and a Native Assistant. He has also a Revenue and Financial Secretary, who is in his executive capacity Revenue Commissioner. As Revenue Commissioner he controls all the Departments usually supervised by a Board of Revenue or a Financial Commissioner, *viz.*, Income Tax, Excise, Registration, Stamps, Registration of Births, Deaths and Marriages, Joint Stock Companies, Government Litigation, and Land Revenue. He is also Director of Land Records and Agriculture, and performs the

functions of a Divisional Commissioner as regards District Boards, Municipal Committees, and other executive matters usually dealt with by such officers, excepting crime and police.

The Judicial Commissioner is the controlling authority in the Judicial Branch of the Administration.

The Secretary, Public Works Department, who is also in command of the Royal Engineers of the Military Commands which are comprised in the North-West Frontier Province, is the adviser of the Chief Commissioner as regards all civil works, and as Chief Engineer is also executive Head of the Public Works Department of the province. He has under him a staff of Royal Engineer Officers, who are also under the dual control of the civil and military authorities.

The Inspector-General of Police controls the civil police forces of the province.

The Administrative Medical Officer combines the functions of Inspector-General of Civil Hospitals, Inspector-General of Jails, and Sanitary Commissioner.

The Inspecting Officer, Frontier Corps, is responsible for the general control of the various Militia Corps and for the inspection of the Border Military Police.

The post of Inspector-General of Education is at present vacant, and the duties of the post are carried on by an inspector of schools under the general supervision of the Director of Public Instruction, Punjab. The question of the reorganization of this department is at present under consideration.

The Accountant-General, Punjab, is also the Audit Officer of the North-West Frontier Province.

The archaeological work of the frontier is in the hands of the Superintendent, Archaeological Survey, Frontier Circle.

The province is officered by—

- (1) A Commission consisting of 42 officers of the Political Department of the Government of India to fill 34 *cadre* posts and leave a margin for leave and deputation.
- (2) A Provincial Service consisting of 20 Extra Assistant Commissioners to fill 18 *cadre* posts and allow for leave and deputation.
- (3) A staff of tahsildars, naib-tahsildars and Munsifs.

Wider powers should be given where appointments are paid from provincial funds. The limit of the Local Government's resources will be a sufficient check on the exercise of such power. I would advocate the abolition, or, at least, wholesale curtailment, of the proposition statements prescribed by Article 57, Civil Account Code. These occupy an immense amount of time in the district and other offices—also in the provincial Audit Office—and serve frequently to delay important appointments. What other purpose they serve is not very clear.

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There is a distinct tendency to rigidity and uniformity in the departments of the Government of India. Precedent is paramount. Shades of difference, obvious to the Local Government, frequently are not apparent to the Supreme Secretariat, and what has been done before must be done again. Stereotyped methods of disposal are followed—e.g., 'Sent to Chief Commissioner, North-West Frontier Province, for report, or for information.' The Secretary concerned does not always fully consider whether the matter is worth troubling about, or whether the information conveyed is worth the paper it is written on to the addressee. This system of throwing out useless information broadcast causes an immense amount of unnecessary work. We are told Native States must not make certain railway contracts without the permission of the Government of India. We have no Native States, but departmental rigidity insists that we must be informed. Rulings on obscure and phenomenal circumstances are sent to us by the score—only to be noted, and placed in the record room to be an incubus, and doubtless forgotten in the almost impossible event of their ever being required. A more careful discrimination in the demand for report and the endorsement for information would induce routine work enormously, without impairing the administration in the least. But more fruitful than these in the general waste of official time is the incessant call 'for opinion.' Secretariat rigidity demands that no Bill should pass, no important Resolution be effected, no new rule of movement be brought into force without the formality of calling for all available opinions on the subject, whether worthless or not. Provincial Governments receive the call from the Supreme Government and echo it to the districts, and it is often re-echoed by the district office to the *tahsil*. Hundreds of inexperienced officials spend hours of valuable time in formulating opinions on matters of which they know nothing—opinions which are doomed to the darkness of the district provincial or imperial record room, as the case may be. Indefinitely greater discrimination is required in demanding opinions; and opinions called for in this way will carry the greater weight and be of the greater value.

Imperial Departments are hampered by their financial limitations. This leads to more deliberate departmentalism than any other cause. The Army Department must refuse an overworked Cantonment Magistrate the necessary assistance to avoid cumbering the military estimates with such a charge, and the civil estimates are called on to bear the cost. Similarly a railway guard-house must be a charge against the Administration and not against the railway. The desire to show a large profit often actuates the Irrigation Department in the same way. Apart from this, there is not a marked tendency to departmentalism. When it exists, it is the outcome generally of individual idiosyncrasy. The remedy is a change in the *personnel* of the Secretariat concerned. As far as this province is concerned, the Government of India are not markedly dominated by considerations of revenue.

The function of Inspectors-General and Directors under the Government of India should be purely advisory so far as departments administered by Local Governments are concerned. The appointment of such officers has caused a considerable increase in the work of District Officers, and more definite rules regarding the correspondence of such officers direct with the district are required.

The idea of 'personal contact' with the people threatens to become a fetish, and a great deal of extravagant nonsense is talked about it. In no country can the peasantry and their rulers—whether of the same or of different races—be on terms of intimacy. Class, apart from race, distinctions make it impossible. The people themselves do not like it. The Wiltshire yokel resents the attentions of the district visitor. Much more so does the Punjabi peasant dislike a prying Settlement Officer. Moreover, real intimacy, the real confidence of equality and friendship, is impracticable. Strive as he may, a District Officer can never know more than a few men in each village. These very likely belong to one faction, and unconsciously the officer becomes affected by the views of that faction. Indian society, as we know, is from the top to the bottom a net-work of faction, and one cannot mix with it without unawares tending to take sides. Apart from this, the native

always expects a *quid pro quo* for his friendship. Sooner or later he comes with his petition. If granted, his neighbours are jealous. If refused, he probably sulks. A knowledge of the people, of their customs, and of the vernacular is without a shadow of doubt essential for the ruler in India. But it should be gained in the early years of an officer's career. As an Assistant Commissioner, with but little power to make or mar, an officer should move freely among the people and learn as much as he can. But with the District Officer the case is different. His powers to make or mar are very extensive. He must be above all things impartial; and he must command respect rather than affection. *E longiquo reverentia*. Our best District Officer is not a Strickland, who can pass himself off as a native of five different kinds. At the same time a District Officer should be accessible, he should move freely among the people, give them opportunities of verbally presenting their complaints, and, above all things, should keep a watch over his native subordinates. But beyond this, 'personal contact' is neither possible nor desirable. Indeed the discussion as to whether our officers have sufficient opportunities for personal contact with the people is academic for another reason, *viz.*, that however much leisure we give the ordinary Executive Officer, he will not spend much of it in cultivating the society of the people. With increased facilities for visiting England, and our present westernised standard of living, the custom of keeping native mistresses has disappeared, and with the improved morality so effected there has been a marked falling off in the Anglo-Indian's knowledge of native ways and native character. The breach between East and West has widened, and, except for the few native gentlemen whose birth and education give them the *entrées* into our society, we have practically no relations with the Indians that are not official. The East and the West will not be brought nearer by reducing the office work of the Collector. This can only be effected by the gradual breaking down of the social barriers that intervene between the races, of which perhaps the most formidable is the *purdah* system. Whether such a change is ultimately desirable is open to question. In the meantime so long as the English in India faithfully and disinterestedly bear the burden of administration—a burden which the Indians could not support alone for a week—this whole matter might be left to evolve in its own way.

No increase is required in the administrative staff of this province. The Peshawar district is overworked and unwieldy; and the question of its partition is now under consideration.

The grant of wider powers to Collectors will not necessarily involve any departure from the rule of appointment by seniority. For the appointment of Commissioners the rule in most provinces is at present seniority tempered by selection, and should remain so.

Transfers are never unnecessarily, but often undesirably, frequent. If we were always allowed our full strength of officers, and if the Government of India could leave the *personnel* unchanged as far as possible, frequent transfers would be obviated.

I am not in favour either of Advisory or of Administrative Councils.

38114. Does the work of the Revenue and Financial Commissioner come through you?—No, his work goes direct to the Chief Commissioner.

38115. And of the Judicial Commissioner?—The Judicial Commissioner's work, so far as it involves administrative questions, come through my office; his actual judicial work connected with petitions for mercy is dealt with by the Assistant Secretary in my office.

38116. With what department of the Government of India does this province correspond?—It corresponds mainly with the Foreign Department; that is, on all questions connected with the frontier and political matters; but for the last year or two we have been allowed to correspond with other departments, the Home Department, the Revenue and Agriculture Department, and so on, direct on subjects connected with them; in fact, the Foreign Office now merely deals with our political and Gazette work.

38117. Where are the officers of the *cadre* of the North-West Frontier Province obtained from?—They are all members now of the Political Department of the Government of India, who make us over a certain strength, a strength of 43 officers to man the 34 *cadre*

posts of the province; as a matter of fact, they do not generally make us over the full strength for various reasons; we are short now.

38118. If an officer goes on leave, have you to supply the vacancy out of your own *cadre*?—Yes, they give us a strength of 43 officers to man our province and to allow for leave and deputation; the Chief Commissioner is allowed to work that entirely himself, subject to the reservation that four appointments, the Revenue Commissioner, the Judicial Commissioner, the Political Agent, Khyber, and the Political Agent, Malakand, are to be made by the Government of India.

38119. Outside the 43 officers?—No, from the 43 officers, but we have to obtain the approval of the Government of India; otherwise we make our own appointments direct.

38120. Of these four appointments you have mentioned, the Chief Commissioner selects out of his 43 officers an officer he thinks suitable, and he is appointed subject to the approval of the Government of India?—Yes, or rather the Chief Commissioner recommends to the Government of India that the officer's appointment be sanctioned and the Government of India sanction it; it is the same thing.

38121. If you want a new officer, you have to obtain him from the Foreign Department?—Yes; they constantly take an officer out of our 43 if they want an officer specially for Baluchistan or some place, as they often do, and they send us new officers whom they cannot otherwise dispose of from outside—officers returning from leave and so on.

38122. So that the 43 are only nominally yours?—They are a changeable quantity, and that is what gives us a great deal of trouble and causes a large number of undesirable transfers.

38123. Then you say that there is too great an attempt on the part of the Foreign Department to administer the frontier in detail; what do you mean exactly by that?—If a petty raid, for instance, occurs in the Peshawar district, the Foreign Office will very often wire to us to ask for a more detailed report than we have perhaps already submitted; they will wire down and say, "Have you taken precautions to send out Border Police; what steps were taken to cut off the raiders; what information was given," and so on; in fact, they take up the case of an ordinary raid, with which the Chief Commissioner is obviously competent to deal, from the executive rather than the secretariat standpoint, and attempt to deal in detail with a matter which the Local Administration is probably best qualified to deal with itself.

38124. After a raid of this sort do they say to you, "You must have a police post here, or a post of observation there"?—They would hardly pass as definite an order as that, but they would write to the Chief Commissioner and say, "It seems that your police arrangements are quite inadequate, will you kindly let us know what arrangements you propose in order to prevent the recurrence of a raid in this particular direction," and call upon him to devise proposals, perhaps, that he has already been considering, or that he considers undesirable for some particular reason. Of course, when it comes to a question of the movement of troops and so on, we perfectly realise that the Supreme Government must have the last say, but in matters of detail there is a little tendency to interfere, or rather I should say there was.

38125. Has there been a change?—In the last few months there has been a distinct change.

38126. How long would you say?—In the last two months, say.

38127. Does this refer only to disturbances on the frontier?—It refers to political matters of that sort and other political matters, too; for instance, as to the constitution of a Militia corps, we may make proposals which are designed to meet definite local conditions and the Government of India will examine these and say, "Oh, no, we do not do this with the Brahui levies or the Zhob levies, or some other corps, and we do not see why we should do it here." It is not so much the question of expense, but the desire to get uniformity in these things, and very often we find that both in our Border Police and our Militia and so on, there is a failure to realise that our proposals are based upon some definite local exigency.

38128. Then you say that there is a continual demand for reports; is that also by the Foreign Department?—Yes. It has been markedly less of late.

38129. Again within two months shall we say?—Two years ago the Government of India called for a report upon every offence that had occurred in the last year of Lord Curzon's Viceroyalty. The line was rather taken up that we had not kept the Government of India fully informed of the state of lawlessness which had existed on the border. As a matter of fact that was due to a misunderstanding; there had been full reports. Since then there has been a continual call for, first of all, a telegraph report of every frontier incident, to be followed by an exhaustive report in detail by letter. That, of course, in a matter which is likely to lead to the eventual use of troops, is absolutely necessary, but where the incident is more or less a police matter, or a small matter which the local officers could quite well dispose of themselves, it obviously wastes a good deal of valuable time writing these elaborate and detailed reports; the Political Officers concerned would be much better employed in seeing the *jirga* and settling the case.

38130. You think that there is clear line of demarcation between what are called police matters and frontier matters?—A very clear line.

38131. You have something to say to us about *jagir* grants?—*Jagir* grants where political considerations enter in, come into my branch as well as to the Revenue Commissioner. The Local Government or the Local Administration has infinite power of punishing and infinite power of degrading and so on, but very small powers of rewarding. Especially on the frontier, where special service is a thing often of the greatest value to us in times of emergency, it would be of great value to the administration to have the power to grant life pensions, or more especially *jagirs*, which carry with them a certain status.

38132. Up to what extent?—The actual financial limit would have to be carefully considered. If we were allowed to make grants up to a value of Rs. 500 annually that would meet the case; it is a matter of detail that would require consideration.

38133. Does the question of opium come before you?—It has a political aspect inasmuch as opium is an article largely grown in Afghanistan, and if we do not let it in lawfully it will certainly find its way in unlawfully.

38134. Does it as a matter of fact now?—Yes, there is no question that it does. I have not seen the last statement as to the quantities, but it has for years past come in in large quantities.

38135. You say that a practice of appealing has grown up which does not come under legal restrictions or regulations; do you deal with that?—When appeals come to the Chief Commissioner, I deal with them.

38136. Do a great number of them come to the Chief Commissioner?—No, not a great number, but a certain number. In the case of men dismissed from Government Service and degraded from Government Service, generally after having appealed from the authority that dismisses them to the Head of the Department concerned, they very often put in a further petition—it is more or less a memorial—to the Chief Commissioner moving him to take action in the matter. The number varies; I should not think there are more than perhaps 30 in a year.

38137. Do they give much trouble?—No, not at all.

38138. Do you think it would be unwise and undesirable to curtail the right of appeal?—I think it would be the greatest mistake that we could make.

38139. So that whether it gave trouble or not, or whether it comes under legal definition or executive practice, you would leave it alone?—I would leave it alone; it would be very much resented if we altered it in any way.

38140. Is there any rule here about employment of officers in the Secretariat?—There is no limit of period; the general rule followed in most Local Governments is followed here, that an officer puts in a certain term of service.

38141. Does any rule govern the tenure of the appointment of Chief Secretary here?—No.

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38142. Then the Assistant Secretary?—There is no rule governing the appointment of Assistant Secretary, but it is a generally understood rule that he should not hold the appointment for more than two years.

38143. With regard to the Revenue and Financial Secretary, is there any rule?—No, he is the same as the Revenue Commissioner; he holds the appointment indefinitely.

38144. Then the Public Works Secretary?—There is no rule as to him; his appointment is really more in the hands of the Government of India than ours; he is also the Officer Commanding the Royal Engineers of the military districts; we take as Secretary of the Public Works whoever happens to hold that appointment at the time.

38145. That practically covers the Secretariat here?—Yes; there is also a personal assistant to the Chief Commissioner.

38146. That is a purely personal appointment?—Yes.

38147. Therefore we may say that there is no rule governing the appointment of officers in the Secretariat?—No.

38148. You have no Commissioners of divisions here?—No, the Revenue Commissioner acts as a Commissioner of a division throughout the province; there is no Divisional Commissioner; the Deputy Commissioners deal directly with the Local Administration.

38149. (Sir Frederic Lely.) Do most of the men who are sent to this province remain for life in it or any long period?—The province has only been going since 1901, so that it is impossible to say; the intention is that they should not remain for life in it—that they should have a spell of service elsewhere under the Political Department in Persia or Baluchistan or Mysore or in the Central Indian Agencies; but a Frontier Officer as a rule, having acquired a knowledge of the language and the particular local knowledge required for frontier work, should certainly spend the greater part of his service on the frontier.

38150. Does it often happen, or has it happened, that a man who has been trained for years in strictly political work in a Native State is transferred to this province and put chiefly on administrative work?—It has occurred. Within the last year we have had two or three officers transferred to this province, men of considerable standing, whom we found it impossible to provide for in suitable posts without giving them either administrative or judicial appointments, for which they were, we must frankly admit, not altogether qualified at the time, but owing to their standing in the Service it was impossible to provide for them otherwise. What we would prefer would be that as a rule the new officers sent to us should be young officers who could be put into subordinate posts and could learn their frontier work, the special expert work required, and gradually, having acquired that, could go into the higher posts, and that our higher posts should be filled from inside. Of course, that cannot altogether be carried out with fairness to other Administrations, but that would be the ideal arrangement so far as we are concerned, rather than that we should have senior officers with no knowledge whatever of administrative or frontier work suddenly dumped on us.

38151. May not the work of the Indian Political Department be broadly divided, into administrative work and political work?—Certainly.

38152. Would it be possible and advantageous to divide those two departments between two distinct branches, so that a man may have a training in one only and remain on that work throughout his career?—No, that would be a great mistake. The exigencies of the service demand so frequently that men should move from one to another, that it is necessary that they should acquire experience in both.

38153. If a man was not able to move from one to another that would avoid difficulties?—Yes, but there would inevitably arise the difficulty of providing for them. We have on this frontier now one of the finest Political Officers probably in India; he is a man of considerable standing; the difficulty now is what to do with him in this frontier; he cannot remain always a Political Agent in an out-agency, because the time will come when he is too senior for that. It

might be possible to move him down as a Resident to a Native State elsewhere, but he likes the frontier and would prefer to remain on the frontier; the difficulty is that he lacks the qualifications for advancement on the frontier itself, where the highest posts must necessarily combine political and administrative functions. The Chief Commissioner himself, for instance, must be a man of wide administrative experience as well as political experience; if you were to isolate the two departments you would never get a man who was qualified to be Chief Commissioner here.

38154. Would it not be possible to disintegrate them?—I do not think so.

38155. Is that not a practical drawback?—It is. Under the present system of training they send the most junior Politicals to us here to be trained in ordinary administrative work; they go through a settlement training, they try second and third class cases, and by the time they have worked two years at that they have a good administrative groundwork; then if they go for a few years into purely political work they will retain enough knowledge of administrative work to fall into it again when they are brought back to that work eventually.

38156. Is that the best system?—I think it is much the best system.

38157. You object to the practice of calling upon a large number of people for their opinions. I suppose you would admit that if the number of people called upon is limited to a very small number some men who would give a useful opinion may be left out?—Yes, one would be risking that, certainly.

38158. Outsiders, who perhaps may see most of the game?—Yes.

38159. Would not the difficulty be met if it were understood clearly that no one should respond to a call for opinion unless he had something really to say?—I am afraid that the tendency on the part of all officers, especially youngish officers in districts, whether they know anything about the matter or not, is to waste time in trying to formulate an opinion which may gain them credit afterwards.

38160. Is that not because they are expected to say something, whether they have something to say or not?—That may have a great deal to do with it, but there is the element of personal vanity coming in.

38161. They do not like to admit ignorance?—They do not like to admit complete ignorance, particularly if they are very junior; a man likes to have recorded something, that may or may not be wise.

38162. If we take the course you suggest it will happen sometimes that valuable opinions will be lost?—That may happen sometimes, but if the Secretariat use a wise discretion in the selection of persons from whom they call for opinions, as a rule they will get the bulk of the best opinion on the subject. It is very easy for a Secretary simply to say, "Send to everyone for their opinion"; it is much more difficult for him to sit down and say who are the people whose opinions should be asked; but if he is to do that and to formally note, "I propose to ask so and so and so and so," there is no doubt they would very soon come to a stage in which it was known in each Secretariat where the most valuable opinion would come from.

38163. The subjects are very various; some would be able to give an opinion on one subject and others to give an opinion on other subjects?—That is true; still, the mass of time wasted and the mass of unnecessary record that has got to be waded through in the Secretariats under the present system, are a greater evil than the chance of occasionally losing a valuable opinion by calling only upon a selected number.

38164. Would it not meet the case to add to every call for opinion an express prohibition to responding at all if the person called upon had nothing to say?—It would certainly meet the case to a certain extent, but I still think you would find the other the better course.

38165. At present does not a sort of impression exist amongst Government Officers that when papers like that are sent for their opinion they are expected to say at any rate something, and that they will be put down as rather inferior officers if they sent down no opinion at all?—No doubt there is that tendency.



38166. And it would be well to remove that impression at any rate?—Yes.

38167. You compare the feelings of the people towards the District Officer with the resentment felt by an Englishman at the visits of a district visitor in England, but is that a fair comparison?—I did not mean it to be absolutely a close comparison; I meant that the things were parallel.

38168. Then upon the same subject you go on to speak of the "prying" Settlement Officer. We associate the word "prying" with impertinent curiosity—is that a fair epithet to apply to a Settlement Officer?—Not in all cases, but in several settlements I have known it so. The Settlement Officer very often resolves to write a book on the manners and customs of the people with whom he is dealing, and he becomes necessarily prying then.

38169. But do you mean that it is a usual thing for Settlement Officers to write books upon their work?—In the case of nearly every settlement the Settlement Officer brings out a volume of what is called tribal law, or local law or ethnology, or a short monograph of the people amongst whom he has been working for six or seven years, and in order to compile that book he does become, what I consider, prying.

38170. Is that a typical thing for a Settlement Officer in the North-West Frontier Province?—I have experience with regard to the Punjab and the North-West Frontier Province, and I think it is quite a usual thing.

38171. Has not the typical Settlement Officer to find out as much as he can of the people in order to make a just settlement?—Certainly.

38172. Do not the people realise that, or do they regard his enquiries as promoted by impertinent curiosity, as is suggested by the word "prying"?—Does the word suggest so much as that? I certainly had no intention of applying the first epithet. I think that the people, to a great extent, realise there is an honest effort being made to understand their circumstances to the fullest extent, but a great many of them regard it as an actual nuisance that a man should come round and say, "Do you wear a blue *pagri* when you are married?" and ask questions of that kind which are, no doubt, of great interest to the ethnologist, but which are of very little interest in a village itself.

38173. Is there a general feeling of resentment with regard to it amongst the people?—I would hardly go the length of saying it is resentment; it is more perhaps acute boredom.

38174. Whatever meaning may be attached to the word prying, is it not the fact that a great majority of District Officers are not Settlement Officers; do you apply your remarks to District Officers generally?—No. I do not know that all District Officers are prying; the whole drift of my remarks is that there is a danger of setting up a false ideal of the District Officer; that the District Officer of the John Nicholson type, who ruled from the saddle with a rough and ready justice is an ideal which it will be just as well to put aside now, and there is a very prevalent idea amongst a great number of people that if the District Officers lived up to the ideal of hobnobbing with the people we should not have had any of that unfortunate feeling of unrest which was so markedly noticeable last year in India. But my view is that the absence of this old intercourse between the District Officer and the people has had nothing to do with any unrest, and that with the advance of our present administration it is infinitely better that the District Officer should be rather more aloof than he used to be in the days of our predecessors in India.

38175. But would you not admit that it is very desirable he should be entirely accessible to the people and also that he should have some intimate knowledge of the people?—Certainly.

38176. That does not necessarily imply the confidential relations to which you refer?—Quite so. I say that a District Officer should be accessible; he should live freely amongst the people, and above all that he should keep a watch over his native subordinates, but it is wrong that we should allow this outcry which has occurred in so many articles which have been written on the subject of unrest, and to

allow the idea to remain that it is want of personal contact between the District Officer and the people which has led to it.

38177. I was rather trying to get your view as to what should be the attitude of the District Officer?—I think the District Officer should be accessible, and that he should allow the people to come to him on official matters, that he should hear patiently their complaints out, that he should not do as one of our ideal District Officers here once did, namely, start from a place in the middle of the Punjab with simply a sponge bag and no other luggage and ride to Peshawar, taking altogether three weeks to do it, with no money, or anything else, living at guest houses, washing when he could find water, and living more or less among the people as the people themselves lived.

38178. But was he not eccentric?—He was a man who has been held up as rather an ideal type of what the District Officer should be, and it is that ideal which I want to protest against.

38179. Then you go on to say that the ideal Officer should command respect rather than affection; do you suggest that it is not possible in these days to do both?—I think it is very difficult to command affection.

38180. Is not the sort of man who can pass himself off as a native of five different kinds, possessed of histrionic qualities and rather wanting in robust qualities usually?—Possibly, but even if he combined the higher qualities, I believe we should prefer that he should not have the histrionic qualities for the purposes of administration.

38181. Would not the very best officer be all the better for knowing one or two languages?—Certainly, and I have said that a knowledge of the vernacular is essential to a good officer, but I do not think a knowledge of the vernacular, as well as the people talk it, is at all essential.

38182. (*Mr. Dutt.*) You said that the Revenue and Financial Secretary has the powers of the Divisional Commissioner for the whole province, that he is the Director of Land Records and Agriculture, and that he is the Divisional Commissioner with regard to Municipal Boards. Practically is he the Head of the Revenue Department under the Chief Commissioner?—Yes.

38183. In the same way as the Judicial Commissioner is the Head of the Judicial Department under the Chief Commissioner?—Yes.

38184. Have the settled districts been withdrawn from the jurisdiction of the Punjab Chief Court since the formation of the province?—Yes.

38185. You have said that there are 43 officers in the Commission, but is that the correct number?—As a matter of fact, the number is rather doubtful. In one letter from the Government of India, they state the number to be 41 and in another 43, so that I split the difference and say 42, but the matter is really now under correspondence with the Government of India. Our *cadre* number is 34, and if you add 20 per cent. to that it makes 42; the thing has not been quite clearly settled yet.

38186. The Provincial Service consists of 20 Extra Assistant Commissioners. Who appoints them?—The Chief Commissioner. They begin at Rs. 250 a month and then, according to the period of their service, they receive an increment after five years to Rs. 300, after 10 years to Rs. 350, and they go up to Rs. 800. I think, although, as a matter of fact, none have gone further than Rs. 600.

38187. Are these men taken from the Subordinate Services?—Partly; we have the same system as they have in the Punjab; we have one register for direct appointments to the Provincial Service and another for the appointment of men of approved service such as *tabildars*, *Munsifs*, and other subordinate officers who are recommended by the Heads of Departments.

38188. As a matter of fact, are the majority of them taken from the Subordinate Services, or are the majority of them appointed direct?—The majority have been taken from the Subordinate Services. The province has been going only for a short time, and we have had very strict rules about those who are taken direct, qualifying, so that there has not been much

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time, and only two or three men have had time to qualify and take appointments. About 17 of our Extra Assistant Commissioners have been taken from the Subordinate Services, while three have been appointed direct.

38189. Is the tendency to take them direct, having regard to their educational qualifications?—Yes, we are very strict about that.

38190. Is there a District Officer in every one of your five districts?—Yes, in every one of the five settled districts.

38191. Is the Deputy Commissioner the Chairman of the District Board?—Yes.

38192. It is said in the Chief Commissioner's note that the Commissioner has of late years effaced himself more and more—have you any remedy to suggest with regard to that?—Those remarks with regard to the Divisional Commissioner refer to India generally, and not to this province alone; we have no Divisional Commissioner here at all; the Revenue Commissioner is also the Divisional Commissioner for the five districts, so that you may take it these remarks refer to India generally.

38193. Is education directly under you?—All educational questions on which the administration has to pass orders come to me.

38194. Including primary education?—Yes.

38195. Is primary education mainly now in the hands of District Boards?—We got an imperial grant of Rs. 40,000 last year for the purposes of primary education and that is being expended separately, but the majority of primary schools are in the hands of the local bodies.

38196. In the villages in this province have you generally one recognised headman in each village?—Very often more than one. Most Pathan villages are divided into various sections, and each section has a headman, or *malik*.

38197. Do you get any help from these *maliks* in the matter of village administration?—Not much.

38198. Is it possible to obtain any kind of help by organizing panchayats from among them?—No, that is quite impossible, I am afraid.

38199. Is the *jirga* known in this province?—Yes, the *jirga* system is very largely worked.

38200. Is it known only amongst the frontier tribes, or is it known in the settled districts?—It is used in the settled districts as an addition to the ordinary law.

38201. Do you sometimes refer cases to the *jirga* for settlement?—Very frequently.

38202. Who has the power of disposing of such cases?—The Deputy Commissioner.

38203. Does the Deputy Commissioner when he thinks a case is a suitable one, refer it to them?—In a settled district when a case of sufficient importance occurs, and it is quite obvious there will not be sufficient proof to lead to a judicial conviction, and yet there is no doubt that an offence of a serious kind has been committed, the question is referred by the Deputy Commissioner to a *jirga* and the accused has the power of challenging the members; then when a suitable *jirga* has been appointed it makes its enquiry, probably, goes to the spot, looks through the police files and so on and comes to its own conclusion, and if the Deputy Commissioner agrees with the finding, he convicts the accused and passes sentence in accordance with the law.

38204. Are the *jirgas* appointed as occasion arises?—There is no standing *jirga*; it varies; it may be a *jirga* of three men or it may be a *jirga* of thirty men, and it is appointed by the Deputy Commissioner by name.

38205. Would it be of any advantage to appoint a standing *jirga* in each district or sub-division?—No, that would be a great mistake here, because there is so much faction and party feeling that it is essential in appointing a *jirga* to take into consideration the particular *jirga* you appoint in each case, and to be sure that you are appointing a *jirga* which will be in a position to give an impartial finding.

38206. Do you have to be careful in every case?—Yes. Our constitution in the frontier is not sufficiently aristocratic to admit of a standing *jirga*; there are not, as there is in Baluchistan, a large body of

leading men; their numbers are so few and far between, and the constitution is on the whole so democratic that you could not have a standing *jirga*.

38207. So that on the whole you think the way in which the *jirgas* are worked is the best way in which they can be worked?—Yes, and on the whole they are doing useful work.

38208. (Mr. Hichens.) Reference is made in the Government memorandum to the rigidity of the Government Secretariat, and a tendency on their part to absorb power. Is that a very marked tendency?—It varies with the *personnel* of the Secretariat concerned. There have been periods in the last seven years when there has been a distinct tendency on the part of the Government of India to centralise to a degree and demand to have the detailed disposal of all matters; but that varies very much with the *personnel* of the Secretariat concerned, and with a change of Secretariat you often get a change of attitude in the matter.

38209. Would the same thing be true as to provincial Secretariats and their relations to District Officers?—Yes, it varies with the Head of the Administration or the Local Government, and very much with the Secretariat. Some Secretariats want to know everything, and are constantly calling for reports and information upon everything, while other Secretariats are content to leave greater discretion to local officers.

38210. Then it is not a matter upon which very much stress need be laid?—No, it is rather a matter upon which the Head of the Local Government should be asked to keep a watch, than to lay down any general principles; he ought to take care not to keep in his Secretariat people who are too grasping of authority—that is what it comes to.

38211. Allusion is made to departmentalism, and, as I understand, it has the effect of undermining the power of District Officers and Commissioners and so on; is that an inevitable tendency due to the progress of civilisation, or is it one that can be checked?—It might to a great extent be checked; with the creation of all these Imperial Departments Excise, Veterinary, Agriculture, and so on, the work of the Deputy Commissioner is both increased by constant references, and his actual power and position is often trammelled by their interference. It may be that it is a transition stage, which we are going through now towards a much better state of things when only agricultural experts will manage agriculture and so on, but at present, in this transition stage, the Deputy Commissioners are harassed by extra work and the strength of their position is marred by the removal from them of so many things as to which they had absolute authority in days gone by.

38212. Taking two points in which the Deputy Commissioner is possibly more interfered with than in any others, namely, Public Works and education, would the argument in favour of departmentalism be that the work is more efficiently done?—Yes.

38213. Would you, if you had your way, sweep away those departments?—No, I should say with regard to a thing like primary education, it should, as far as possible, be left to the Deputy Commissioner, and in the case of higher education, with regard to high schools, colleges, and Universities, it is obvious that they would be more efficiently managed by a special department. Where the actual lower work of education is concerned I should preclude the interference of the department as much as possible. The Deputy Commissioner is more in touch with the people, and much more able to persuade the leading men to send their children to school than any department possibly could be. One must be dependent in the early stages of education, to a great extent, on the District Officer. With regard to Public Works, provided the two staffs will co-operate freely, it is better that the Public Works Department should be throughout responsible.

38214. Co-operation between the expert department and the District Officer is the best way to secure efficiency?—That would be the ideal, but you can very seldom get complete co-operation.

38215. The idea is not to abolish the departments?—No, the departments are inevitable.

38216. A point is raised with regard to the growth of codes and regulations, and it is implied that many



of the regulations which are laid down are too minute and are unnecessary; is there a marked tendency in that direction?—There has been a great increase in the number of codes and rules, and they are so minute that very often a great deal of time is spent in calling the attention of people to the fact that they have been disregarding rules which they have not had time to read, and the correspondence mounts up enormously in that way. First the Secretariat makes a code of rules on a subject, and issues them; they are disregarded, and then there is a long correspondence pointing out that they have been disregarded, but the net result is not very much increase in efficient working.

38217. What is the procedure in regard to issuing rules; can the Head of a Department issue them?—There are two kinds of rules—certain rules may be issued under law—nearly all the acts of law authorise the Local Government or the Local Government, with the previous sanction of the Governor-General in Council, or the Financial Commissioner, or the Revenue Commissioner, as the case may be, to issue rules under the Act; and then there are also departmental rules or regulations which any Head of a Department is at liberty to issue. Of course, as a rule he would take the orders of his Local Government or Administration, before issuing any rules of a drastic nature, but it practically amounts to this that the Head of the Department concerned can issue a great number of rules.

38218. Would it be desirable from the point of view of checking regulations, to limit the number of persons who can issue them?—Yes, that might be a remedy, but the whole thing again is question of personal work; a wise Administration will tell its Heads of Departments that it does not want its officers over-burdened by unnecessary rules, and that a curb should be put as far as possible on the issue of general instructions.

38219. But there is nothing definite which can be laid down?—No, it is rather a canon of administration than any hard-and-fast law.

38220. A canon of administration which has been agreed to *a priori* from time immemorial?—Yes, and broken ever since.

38221. And if it has been broken ever since, is there a reasonable ground for supposing that it will go on?—If strong attention was called to it something might be done, but there is nothing more than that I can suggest.

38222. Have you any direct instances as to specific subjects governed by regulation in which it has occurred?—The only instances I can give is with regard to the rules regulating the import of carbide of calcium and certain explosive materials, which never come our way at all, but as to which we are ordered by the Government of India to issue general instructions of a peculiarly complicated character, although those commodities do not materially concern us and we have nothing to do with them.

38223. Then the instructions do not hurt you?—No, except that there is a good deal of time wasted in dealing with them. You have to draft them and send them to the local officer who, if he is a conscientious man, would enquire whether there was any carbide of calcium in the district, and a good deal of time is wasted in that way.

38224. I understand you think it desirable, from the point of view of the North-West Province, that your junior officers should stay here at least two years to learn administrative work thoroughly, and be then transferred to a Native State, and be transferred back again?—Yes, and of course, better still, I would leave him as long as possible; the longer a man stays the more useful he is, but we are bound to have a certain amount of give and take between this province and the rest of the department—there must be a flow between the two. They get short of officers elsewhere and want some of ours, or we get short of officers and have to take some of theirs; but, in order to make the flow between this province and the rest of the department as little injurious as possible in the interests of the work, I would suggest, as a rule, that junior officers should be kept with us until they have fairly mastered the rudiments of their work, and then we should have no objection to their going to Native States or else-

where and coming back to us later, qualified for higher appointments without upsetting the administration.

38225. Is it an advantage or disadvantage to the administration that junior officers should have a wider experience than could be obtained in one province?—It is no advantage to the administration, certainly as far as this province is concerned; the conditions are so special that it is of little or no advantage to us to get a man with experience of Mysore or Rajputana or elsewhere, because he has to learn everything anew here, and his former experience is of no use administratively. It may make him a better officer if he has wider experience perhaps, but that surely applies to everything.

38226. From the point of view of the Administration, would it be a benefit if some of the permanent officers went, say, to another province for a year in order to see how things were worked and in order to get a wider experience which would fit them more for the bigger posts they would have to hold?—It might possibly be beneficial, except of course that the transfer of an officer after a year would involve a general posting all down the line—otherwise it would have some educational value and prevent us getting too cramped. In all small provinces there is a great tendency that way.

38227. Would you say that the desirability of retaining a man in a post for a long time was greater with regard to the position of a Deputy Commissioner or some analogous position?—Yes, such as a Political Agent or a Deputy Commissioner.

38228. How long do you think it desirable that a man should be kept in a post of that sort?—I should say four years; he might come back to it if he went on leave, but four or five years is quite long enough, because if he remained longer he would get one-idea'd and begin to lose a sense of the importance of other work, and he is very apt, having acquired so much knowledge of the people, to be inclined to take sides in a country which is absolutely over-ridden with factions. He cannot help it, but unconsciously he has his particular friends and advisers among the people, and he is affected by their advice.

38229. What is the difference between an agency and a district?—The districts are what were the settled districts of the Punjab, and they are absolutely the same as districts in the United Provinces, for instance, and are worked on practically the same lines. Agencies are the large tracts of country which lie between the administrative border of British India and the Durand Line, that is, the border of Afghanistan. These large tracts of country are often of a very rough character, and are divided into protected and unprotected areas; that is, that a fine line runs along each side of the road through each agency so to speak, and on each side we protect a certain area, that is to say, we tell the people that we must have the peace and order of an ordinary British district maintained in that area.

38230. Are they the same as Native States?—Not in the least; there is no ruling Prince, there is no King; you cannot call it a democracy, it is an anarchy with a sort of loose tribal *jirga* which occasionally takes action for common purposes, but murder, blood-feud, and vendetta, and so on, are of daily occurrences in these tracts, and we take no notice of them unless they occur within our area. We merely exercise what is called a political influence over them.

38231. (*Mr. Meyer.*) Are not officers of the Political Department, as a matter of fact, sent for administrative training in the Punjab as a rule?—Both in the Punjab and in this Province now; for the last three years they have sent us four to five probationers for training each year.

38232. And the conditions in your settled districts are very much the same as those in the Punjab?—Yes.

38233. You say, "Give a man administrative training in this province, and then let him go to the political area outside, and then come back to us;" but is that not exactly what is done?—Yes; as probationers they only stay for a year, and they exercise practically no powers; it is just at the end of the year when we could really use them they go away; if they were left with us for another year or two years as full-blown officers, then they would have acquired experience of which we should have the benefit.

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38234. Is your point that the present term of apprenticeship should be extended?—No, let them finish their apprenticeship in one year, but let them stay with us as full-blown officers for two years after that.

38235. You mentioned the case of an officer who was an excellent man with regard to frontier political work but who was not competent to fill an administrative charge, and that there was difficulty in finding him an appointment with remuneration suitable to his standing. Up to the highest appointments now in the Political Department, are not your salaries all fixed by personal grading?—Yes, they are in the agencies, but you come then to the question of Residencies which are appointments by selection, and in this province there are three Residencies—the Chief Commissionership, which is a first-class Residency, the Revenue Commissionership, and the Judicial Commissionership.

38236. If a man was so very valuable as regards political work proper, could not the difficulty you mentioned be overcome?—But a man does not want to spend his whole life in places where the amenities of life are small, and he looks forward after 10 or 15 years of trans-border agency work to work elsewhere. Such an officer as I speak of cannot look forward to a Commissionership, because he lacks the necessary administrative training, and in the same way it is doubtful whether an officer of that sort would be qualified to be Agent of the Governor-General in Baluchistan or Chief Commissioner here.

38237. Are there not prize appointments in every Service to which ordinary officers do not attain as a matter of course?—But every officer has a right to expect that his training will be such that he may carry the baton in his knapsack—there should be nothing in his work to prevent him rising to the highest office.

38238. The Chief Commissioner asks for full powers in regard to the appointment of Political Agent at Bannu and the Khyber, but is that not a little inconsistent with what he says when he acknowledges that in this province special control of the Government of India is necessary, in regard to frontier relations?—I do not think so, because as a matter of fact, under the present arrangement we have the power of appointing the Political Agent at Wana, which is probably an infinitely more inflammable spot than even the Khyber, and we can appoint the Political Agent at Tochi and Kurram, which are places which involve quite as much difficulty as the Khyber and Malakand, and it appears to me undesirable that in the case of these two places the Government of India should reserve to themselves a patronage which is simply the survival of an old system and old ideas. When the Chitral war took place and the Malakand Agency was created it was placed under the Government of India, and as such the appointment lay with them; in the war of 1897 owing to certain difficulties with regard to the Khyber, the Government of India said they could not leave it to the Punjab to select the Political Agent of the Khyber in future and that they would do it, so that these two appointments are really survivals of days antecedent to the creation of the separate Frontier Province.

38239. But logically, would not the Government of India be in a strong position in saying that if any one of these officials was able to set the frontier in a blaze, they should have some voice in his selection?—Yes, but the same thing would apply to Wana, and even more so. The logical development would be that they should take over the whole of the postings of the frontier, because any Assistant Commissioner, and especially at Wana, could set the frontier in a blaze if he wanted to. Either let the Government of India assume full responsibility for the whole of the appointments, or abolish the anomaly by which they make two appointments only owing to a survival of old customs and the reservation to themselves of a certain right. The only reason why we object to their doing so is that it involves a great deal of correspondence whenever an appointment is made, and much more than appears on the surface. If the Government of India would prefer to make the postings throughout the province, we have no wish to retain the power.

38240. Your position would be, then, that the Chief Commissioner ought to be trusted to make these appointments, and that if he makes them injudiciously the Government of India should be able to come down

on him?—Quite so, in the same way as they would have the right to come down on him now in other places.

38241. You complain that you are not allowed to have your own provincial Gazette; have you ever asked the Government of India for permission to have a Gazette of your own?—No, we use Part II. of the Gazette of the Government of India; it is not that we want a Gazette of our own; we do not want to have any more than we have, but we should like to publish our postings in Part II. of the Gazette above the signature of our own Secretary. It is not from any desire to appear to exercise greater patronage that we wish for any change, but because it gives trouble in sending notifications from us to the Government of India and from the Government of India to the Gazette of India; it would save one unnecessary link in the chain.

38242. Why should you not have a Gazette of your own?—We should have no objection to that.

38243. You deprecate transfers, but have there not been a good many in this province? For instance, I see that Major Blakeway says that there have been numerous transfers in his district in the last three years, namely, seven changes in the office of District Judge, four changes in the office of Commandant, Border Military Police, and so on?—Yes.

38244. Is not the Local Administration, not the Government of India, responsible for those moves?—The Local Administration certainly is directly responsible, but the Government of India are indirectly responsible. The Government of India at the beginning of every cold weather dump on us perhaps four or five Political Agents of high standing whom we have to provide for, and every officer who comes to the province involves a general posting, so that everyone has to move down a step or two which means a change of posting all round. At the beginning of the hot weather the Government of India call upon us to provide various officers in order to fill vacancies elsewhere, due to their officers going on leave, and the departure of these officers causes a general posting again, and changes have to be made again all down the line. The effect of that is that with a Civil List that is constantly changing and fluctuating and with a very small *cadre* these changes are perfectly unavoidable, and there is no juggling which can obviate them.

38245. Except possibly a time-scale of pay?—I do not think that would obviate them or be popular. We have just had our pay altered, and another alteration would cause great alarm.

38246. Is the present system of administering the Frontier Province bound to cause more transfers and more dislocation than under the old system when the districts were manned by men of the Punjab Commission?—Probably, but if one were to examine the Civil Lists from 1897 to 1901 one would see the same thing occurring, from sickness and other reasons; transfers were nearly as frequent in former days as they are now.

38247. Is not a transfer on the frontier much more hurtful than it is inland?—Not if you have a staff which has been serving on the frontier for some time; for instance, Major Blakeway has been, on and off, Deputy Commissioner of Bannu for the last six years, and as soon as he comes back after an absence he picks up the threads at once in the same way as officers who have been in a district for years are able to do so. So long as you have a permanent staff of officers who know the frontier fairly well, I do not think it is very injurious though it may be undesirable.

38248. In the case of the Baluchistan frontier are not the conditions very different?—Yes.

38249. So that a man who knew the Baluchistan frontier, coming here, might be actually misled by what he thought his knowledge?—Quite so.

38250. As to Extra-Assistant Commissioners, you have a self-contained *cadre* and full liberty of appointment; why are there so many changes made?—Because we have nearly always to fill up four or five appointments properly reserved for Political Service Officers. At the present moment there are five appointments reserved for officers of the Political Department which we cannot fill owing to the shortness of officers, and we have to fill them with Extra-Assistant Commissioners; hence the continuous transferring and juggling.

38251. When an officer goes on leave not exceeding six months, say a Deputy Commissioner, suppose you have an Assistant Commissioner in the district who knows the district, but is not the next senior on the roll, would you put him in?—We should put in the man on the spot, provided he was qualified at all to carry on the duties.

38252. That is in the case of privilege leave vacancies?—Yes.

38253. But what about vacancies for six months?—In the case of a vacancy of six months we should consider the matter. We have never been so well off for Assistant Commissioners that the particular problem has really arisen. I can think of two or three cases in which we have filled privilege leave vacancies with Junior Assistant Commissioners on the spot, but in the case of a six months' vacancy we nearly always have to move a man from elsewhere. If there is a suitable Assistant Commissioner on the spot we should not hesitate to put him in, in preference to another man.

38254. Who appoints tahsildars here?—The Revenue Commissioner.

38255. And naib-tahsildars?—The Revenue Commissioner subject to the approval of the Chief Commissioner.

38256. And he posts them?—Yes.

38257. You want proposition statements done away with. Is not a proposition statement the only clear way by which the sanctioning authority can gauge the actual strength of the office it is desired to increase, and the actual addition proposed to be made to the strength of it?—I should have thought that simply a statement that the office consists of 40 or 50 clerks, and that it is proposed to add two more would be infinitely more simple than the present arrangement.

38258. Would you be surprised to learn that in the Finance Department I have over and over again received letters from Governments from which it was quite impossible to see what was exactly contemplated until one referred to the proposition statement?—Of course I have not had experience in the Finance Department.

38259. The Local Government speaks of discouragement to District and Executive Officers from men being promoted mainly with reference to their deeds in the Secretariat. Surely Sir Harold Deane's own career is a refutation of that; he was not in the Secretariat at all?—No. I may say for myself that the remarks in that part of the Local Government's Note I do not personally agree with at all.

38260. Your own view is that the good man gets his chance whether in the Secretariat, or out of it?—I think so; it does not matter what work you do so long as you do it strenuously.

38261. I think that you are not in agreement with the Government memorandum on the matter of appeals?—No, personally I am not.

38262. It is stated there, for instance, that there should be no appeal against the dismissal of an officer?—I do not agree with that at all.

38263. Would it not rather run down the attraction of the Public Service if the fate of an officer were placed in the hands of one man, however distinguished?—Certainly; it would be the greatest mistake that we could make.

38264. (*Sir Steyning Edgerley.*) What are the relations of the Deputy Commissioner with your Police Officers in the Province?—The Superintendent of Police is, for the general purposes of the maintenance of law and order, the subordinate of the District Magistrate, but departmentally, as regards the interior economy and discipline of the police force, he is under his own Inspector-General.

38265. So that for the purposes of outside use the District Magistrate can issue orders and direct the movements of the police?—Quite so, for the maintenance of peace and order and the detection of crime and so on.

38266. Regarding these diaries which you complain are a great tax upon the clerical establishment; how many copies do you have to send away?—It varies with particular diaries; in the case of the Khyber

diary, I think that comes to the General Officer Commanding, to us, to the Foreign Department, to the Malakand, and to the Quartermaster General. Most of them go to five or six different quarters.

38267. Have you no facilities for printing them here?—They are all printed in the Foreign Office; they are first of all typewritten in the Political Agent's office on a duplicator machine; probably they have to be done twice in order to meet the full number of copies that are sent out. It is essential to have them sent out promptly, otherwise they lose their value. Then they are sent to the Foreign Department, who print them and distribute them in print to all the offices that have already had them, so that they may be made up into neat books, and the typewritten copies are then destroyed. All that, of course, involves a great deal of clerical work.

38268. You could not print them here?—No. Our own diary we do send in type; we can print our own here, but as a matter of fact the delay in printing the Agency diaries would detract very much from their value; their whole value is that they are a very prompt account of what has happened a week before in the Agency.

38269. The printing would not take more than twenty-four hours?—It would mean much more than that; Wana is four days' post from here.

38270. Has it not to come here to be delivered?—It goes direct from Wana to the General Officer at Dera Ismail Khan; that is only a day off; if we posted it here he would not get it for eight days instead of getting it the next day.

38271. But the copies which go outside the province could be printed by the Foreign Office?—Yes; a good many of them are printed and distributed in that way. I think the whole idea of the diaries is a little overdone; there is a little too much said in them.

38272. It has been suggested in some parts that it would be a good thing to test the genuineness of the desire to appeal by raising the stamp duty on appeals to the Local Government or the Government of India; what is your view about that?—I do not think that is at all necessary; appeals are not sufficiently frequent to demand that.

38273. Have you any ideas about the training of young Civilians?—I think it is important to give them a good training in revenue work and (above all things) criminal and civil work first, and not to give them any political work until they have done all that. I think the most dangerous thing is to give young Civilians the idea that they are going to be diplomats before they have learnt the law.

38274. Do you think the year they at present spend in England is useful?—I think it is.

38275. (*Chairman.*) It has been suggested that you might perhaps bring them out to India and use some central training place, such as the new Police Schools, to teach them the languages and customs of the people, revenue law and village accounts and so on, would you prefer the year at home?—I think the year at home is better.

38276. You tell us you get asked for opinions and so on; are these really very numerous?—They are fairly numerous. In our general proceeding, I notice there are about eight or nine a month which might very often be abolished without doing anyone any harm.

38277. Opinions upon what sort of subjects?—Every kind of subject; the price that ought to be allowed for the purchase of a motor car for a Government officer, the suitability of the law to amend the limitation of suits, the desirability of legislating with regard to Insurance Companies (which we do not possess)—absolutely every question that could come under the head of administration we are asked for opinions upon.

38278. Who send you these?—The various departments of the Government of India. The Legislative Department sends us practically all Bills and all law for opinion, and a great many of those do not really concern us nearly. The Revenue Department sends down a great many revenue references for opinion, and we get a great many from the Home Department; questions referring to the whole police system of India, the abolition of Port Blair in the Andamans, and things like that.

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38279. You have been asked to give an opinion upon Port Blair?—Yes; Port Blair does concern us, as we supply the greater part of the population of Port Blair from this province; still, the question was a very wide one that involved a great deal of thought on wider considerations of expense, etc., which did not concern us.

38280. Are you supposed to send these on to your District Officers for their opinion?—Yes. If we followed the lead we have had we should send them all on; as a rule now we exercise as careful a discretion as we can in selecting the officers to be consulted; generally now we merely consult perhaps two or three officers who we know have had facilities for finding out something about the particular subject.

38281. Most of these, you think, could be dispensed with?—A great many.

38282. You say "Rulings on obscure and phenomenal circumstances are sent to us by the score;" will you give us an example of that?—If a clerk goes to the hills and takes his step-son with him, his step-son is entitled to travelling allowance now, although he is not really a part of the family; that is a ruling which is, of course, valuable in a way, but it is a thing that is very likely to be overlooked in the event of our ever having a clerk with a step-son who wanted travelling allowance.

38283. Will you give us another example?—We get constant rulings about Native States; loans must not be taken up by Native States except in certain cases; we have not any Native States here, so that that does not concern us at all. If I were to go through the proceedings I could mention a great many instances.

38284. You say that Imperial Departments are hampered by financial limitations and that certain charges which might perhaps be put upon the military estimates are put upon the civil estimates; is that within your own experience?—A very typical case occurred the other day here. The Cantonment Magistrate complained that he was unable, owing to the enormously onerous nature of his executive duties, to deal with the mass of civil work in his Court; the civil work accumulated to such a degree that the Judicial Commissioner had to complain about it. After consulting with the military authorities we came to the conclusion that it was necessary to appoint another officer, either an Assistant Cantonment Magistrate, as they have in all large cantonments, or else a cantonment tahsildar. The Government of India in the Army Department, after considering the matter, said that they were unable to give us another officer paid from military funds as cantonment magistrates are, and that the Civil Departments must produce a Judge.

38285. You refer to the frequent references to higher authorities necessitated by the growth of Codes, Rules and Circulars; will you explain the meaning of that?—In a great number of these codes and rules and so on, they enact that certain things may not be done without the sanction of higher authority.

38286. But is this the work of the Provincial Government or the Government of India?—It is the work of the Legislature rather; it may be under rules and circulars or in provincial codes. For instance, under the law as it stands we wanted to appoint an additional Small Causes Court Judge the other day. We found that in order to do that we had to get the sanction of the Governor-General in Council.

38287. Was that a question of expenditure?—No, it was not at all; it was a question simply of powers; under the law the provincial Government "may with the sanction of the Governor-General in Council appoint certain persons to be" so and so; in other words, it was a question of investing the man with powers; the man was already getting his pay as something else, but it was a question of investing him with these powers; under the code as it stood the sanction of the Governor-General in Council was necessary. We had to wire; of course it was purely formal, and the Home Department sent us a wire back to say that sanction was given.

38288. Those are the sort of powers you would like the Local Government to be provided with?—Yes.

38289. (Mr. Meyer.) In some provinces there is a rule restricting appeals from Government servants to this effect, that no second appeal in the case of an officer drawing less than Rs. 50 shall go on beyond the Head of a Department or the Board of Revenue as the case may be; is there any such rule here?—No, not that I know of; there is no such rule.

38290. There is full liberty of appeal to the Chief Commissioner?—Yes. The appeals are not in any case legal appeals, but there is liberty to petition up to the Chief Commissioner, and the petition will be considered in the same way as if it were an appeal.

38291. Even if it is a *chaprasi*?—Yes.

38292. (Chairman.) Are Commissioners responsible for postings and transfers?—Yes.

38293. May we take it that good executive work is taken into consideration by the Local Government in considering the recognition or promotion of a particular officer?—In this province it certainly is. The remarks about the Secretariat in the Chief Commissioner's note are, I think, intended to apply to Secretariats generally.

38294. But in this province what is taken into consideration when you promote an officer?—We have not the power to promote an officer; they move up by their grades and get their pay.

38295. But when you transfer an officer?—In transferring an officer we take into consideration his suitability for the particular post to which it is proposed to transfer him.

38296. That is a very general answer?—If we wanted to put an officer into the Khyber we should not put in a man whose experience had been entirely judicial; we should select for the Khyber or for any important political charge a man who had, for instance, commanded a Border Police Corps, or a man who had worked in a district where there was a good deal of political work, or a man who had been in one of the less important Political Agencies and had shown himself to be a man who could be relied upon, and a man of discretion who would not force on trouble when it could possibly be avoided.

38297. I may take it from you that that is a definite statement of the conditions under which officers' claims are considered?—Yes.

38298. You were Under-Secretary to the Government of India?—I was for a time.

38299. Was that before this province was formed?—No, it was since the formation of the province in 1903. I was acting for the Deputy Secretary of the Foreign Office.

(The witness withdrew.)

KHAN BAHADUR KHAWAJA MUHAMMAD KHAN of HOTI was called and examined (through an interpreter).

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38300. (Chairman.) What position do you hold?—I am chief of my own place and a Viceregal Darbari. I am a *jagirdar* and landlord.

I do not think it desirable to curtail the right of appeal in respect to administrative action or personal questions, nor do I see any necessity to impose the condition of obtaining a preliminary certificate from the officer whose decision is appealed against, which would be very hard upon the people.

Commissioners and Deputy Commissioners should be given extended powers to enable them to expedite

the disposal of important matters connected with public welfare, which they would do after consultation with leading men from among the people. The Local Government should allow Commissioners and Collectors greater control over expenditure, and define its limits.

At present the influence of the Local Government is in the direction of uniformity. But in future the people of a bad type, such as thieves, dacoits and bad characters, should be dealt with very strictly, while *Raises* and good honest men should be treated even

more kindly than at present, so that the former class may be intimidated and the latter encouraged to render more assistance to officers of the Government.

The influence of the Commissioner in all matters is sufficiently strong.

The Executive Officers have not sufficient opportunities for personal contact with the people, which is perhaps due to the pressure of work. In this province the Chief Commissioner interviews all sorts of people with open heart and clear brow. The Executive Officers should frequently come in contact with leading men and *Raises* and consult them, as they evidently know the people better than European officers.

All Executive Officers possess a sufficient knowledge of the vernaculars.

Only such officers should be selected who are experienced and in touch with the people, and who are trusted and liked by common people as well as *Raises*.

Officers should not be frequently transferred, but should be kept at one place for a long time.

Local bodies should only be empowered to control the expenditure within their income, and in case of emergency to borrow such sums as they can repay in the same or the following year.

The creation of Advisory and Administrative Councils is in my opinion very important. Such Councils should be constituted of leading gentlemen of good position, who are known for their loyalty to Government as well as for integrity and honesty, and have the confidence of the people. Officers should consult them in all important matters and act upon their advice. These Councils should be given wide civil and criminal powers, and made responsible for the prevention of murders and dacoities and for bringing offenders to justice. Officers should be bound to act upon their advice.

The District Boards should be invested with powers of supervision and control over the smaller municipalities within their districts.

The extension of the powers of village communities is most expedient and is calculated to cause a decrease in crime. If leading men of good position, reputed for honesty, are given greater powers in the disposal of local affairs relating to revenue, civil, police and criminal matters, I think it would serve a triple purpose. Firstly, crime would be diminished; secondly, justice would be done in all cases, as leading gentry known for integrity are better acquainted with local circumstances than European officers; and, thirdly, the measure would relieve Executive Officers of a portion of their work, and they will have ample opportunities for personal contact with the people.

38301. Are you familiar with the constitution of the *jirga* in this province?—I am very often present in the *jirgas*, and I know about their formation.

38302. When a *jirga* is formed here, is one man more or less responsible for its proceedings; is there a kind of head man?—No particular person is responsible for the procedure in a *jirga*. The Magistrate appoints the members.

38303. When a *jirga* of men appointed from a tribe sits, as a rule is it fairly easy to arrive at a conclusion on the matter which they are investigating?—They listen thoroughly to everything that is said to them, and they do not find much difficulty in arriving at a conclusion; they make enquiries from the people on the spot and also from all influential persons.

38304. Is the Magistrate present when the enquiry is actually held?—No, the Magistrate or the Deputy Commissioner is not present; only the opinion of the *jirga* is submitted to him.

38305. Do the members speak more freely in the absence of the Magistrate; do they discuss more easily amongst themselves?—They express their opinions freely, and as a rule the Magistrates have nothing to say to the manner in which opinions are expressed.

38306. Do they discuss more freely amongst themselves than they would if the Magistrate were present?—Yes, they are more free in their discussions and more outspoken. The influential men and the Deputy Commissioners also know that *jirgas* are sometimes appointed without due care and that they accept bribes, and this is a great drawback to the administration of justice; all the officers know it. If the *jirga* is appointed with care, and responsible and

well-known men constitute the members, then justice can be better done.

38307. But there is no doubt that there is a certain amount of bribery and corruption?—Yes, and those that constitute the *jirga* have themselves been punished several times for such bribery; two or three *jirgas* have been punished for their corruption. 27 Mar., 1908.

38308. Are the *jirgas* liable to be much influenced by faction?—They are not liable to be much influenced by faction except when they are appointed carelessly.

38309. Is it possible to choose out of a tribe or a village men who will be neither corrupt nor factious?—The Deputy Commissioners know which people are corrupt and which are not, but the difficulty is that if the Deputy Commissioner appoints those people they will not be able to do their own work; the work of the *jirga* is so much that it will absorb all their energies.

38310. (Sir Steyning Edgerley.) Do you think that the Administration rewards good work sufficiently?—No, the reward is ordinary.

38311. Ought officers to have more power to do so?—If there were power it would be better.

38312. That is to say they should be able to reward on the spot at once?—To reward on the spot would be a very good thing and a matter of great gratification.

38313. You recommend the appointment of Honorary Magistrates and Honorary Civil Judges; do you think the people would be as content with the decision of a single person as with that of a *jirga*?—The people would benefit considerably if Honorary Civil Judges were appointed.

38314. Would they be content with the opinion of a single *Rais*?—The people would be quite contented; I know the conditions of my own territory better than they could be known by European officers.

38315. (Mr. Meyer.) Is it only the Deputy Commissioner who appoints the *jirga*, or can a *jirga* be appointed by an Assistant Commissioner?—The Sub-Divisional Officer of my own part of the Peshawar district has power of himself to appoint the *jirga*.

38316. That may be an Assistant Commissioner or an Extra-Assistant Commissioner?—An Assistant Commissioner only.

38317. Could a tahsildar appoint a *jirga*?—A tahsildar or Extra-Assistant Commissioners cannot appoint *jirgas*, and that is to the benefit of the people.

38318. Do the *jirgas* only deal with crimes, or do they deal with civil cases also?—They are only appointed in criminal cases—very rarely in civil cases; most cases are not sent to the *jirga* at all, they are sent to the ordinary Courts. All offences, such as murder and other grave offences, are sent to the *jirga*.

38319. Suppose one man beats another, would that go to the *jirga* or to the tahsildar's Court?—Cases of ordinary simple hurt or grievous hurt are sent to the Judge; murder and attempts to murder are sent to the *jirga*.

38320. Might the *jirga* be used more instead of the ordinary Courts in a number of these small cases?—It is desirable to send these petty cases also to the *jirga*.

38321. Might civil cases—questions of property when the amount is small—go to the *jirga*?—Suits about land and even about money could profitably be sent to the *jirga*, provided that the *jirga* is very carefully appointed. Sometimes the Deputy Commissioner appoints the *jirga* very carelessly, and that results in great evil.

38322. Would it be possible, instead of having a separate *jirga* for each case, to have one permanent *jirga* for a village or a group of villages?—If the men are literate and also able to influence their own people, then it is possible to have a standing *jirga*, but ordinarily the men are illiterate and they get their judgments written by petition writers.

38323. Would the people like it?—Neither I nor the people would like it.

38324. At the same time you want panchayats in the villages?—A panchayat can decide cases more easily.

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Khawaja  
Muhammad  
Khan.

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38325. If you cannot find good men for a permanent *jirga* will you find good men for a panchayat?—If the Deputy Commissioner appoints those people with care then they cannot do their own work; the *Khans* or Chiefs or leaders of the people whom he can appoint can do the work properly, but they will not be able to do their own work.

38326. Then you want an Advisory Council; what sort of people would sit on that?—I would appoint great *Khans* or Chiefs who are literate and at the same time who have no fear of the authorities but who can give their opinions independently; men who would be independent and who would not flatter the officials.

38327. Are there a number of such men to be found in the Pathan districts?—Yes, such men are available in all the sub-divisions.

38328. (*Mr. Dutt.*) You say that Advisory Councils should be given wide civil and criminal powers; do you mean that they should form a sort of standing *jirga* for the whole district?—The Deputy Commissioner so far never consults the influential people or the *Khans*, they are regarded as mere waste paper. If the Deputy Commissioners consult men of known integrity, influence and wealth in their own districts, the number of cases, civil and criminal, would be reduced to 20 per cent. of the existing number.

38329. Is it your idea that most of these important cases should be referred to the Advisory Council exercising civil and criminal powers?—Important administrative cases. My opinion, if acted upon, will lead to this—that the leaders of a tribe will blame their own persons if they do wrong, and those persons will naturally not do it again.

38330. So that under such a procedure there will be substantial justice done by such leading men assembled in council?—Greater justice will be done in that way, because European officers cannot know so much of the internal affairs of the people as the leading men of the place itself.

38331. Do you desire that they should have the power of passing the final order, or that they should send their opinion to the Deputy Commissioner for him to sign the final order?—It should not be like the Assessors in a Sessions Court, where the Sessions Judge very often does not listen to what they say; their opinions should be acted upon.

38332. Do you also propose such standing tribunals in *tahsils* or in large villages?—If such an Advisory Council were established it would be well.

38333. Do you think that if such tribunals are established in different places in a district substantial justice will be done to the people by their own countrymen?—Yes.

38334. If these judicial tribunals are established, is there any necessity for establishing separate panchayats?—In that case there would be no necessity for panchayats.

38335. Is there a recognised headman in every village or in every tribe in a village?—In my *tahsil* there are eight or nine *Khans*; in the whole of the Peshawar district there are *Khans* who are considered the Heads of their own people.

38336. (*Sir Frederic Lely.*) You said just now that the *jirga* was very subject to corruption; how would your Advisory Council differ from the *jirga*?—I have already laid down, as the very first condition, that only those people should be selected who are trusted by the

Deputy Commissioner and who are known not to be corrupt.

38337. Men should be appointed who are not corrupt, who are influential, and who think of their own honour?—Yes.

38338. And the only means of doing that is to leave the selection to the Government authority?—Either the Deputy Commissioner or the Chief Commissioner

38339. How many villages have you in your estate?—I have about 40 villages of my own.

38340. Who supplies them with water?—The water comes from the river. It is irrigated by canals.

38341. And drinking water?—There are some wells also.

38342. At whose expense are the wells kept up?—The tenantry have constructed those wells.

38343. Are there any schools?—There is one middle school in which education is given up to the matriculation standard.

38344. Are there any primary schools?—There are 30 or 40 primary schools. The students pay tuition fees, and a cess is taken along with the land revenue.

38345. Then there is a local fund cess?—Yes.

38346. Who manages that; is there a Local Fund Board?—The money is paid to the Deputy Commissioner. I am a member of the District Board, but so far not a single rupee has been spent according to my suggestions; the Deputy Commissioner spends it according to his own views. My *tahsil* contributes Rs. 13,000 a year.

38347. (*Chairman.*) How often does the District Board meet?—There are several meetings of the District Board, but during the last 20 years I have attended only five; my reason for that is this: when attending I found out that my opinion was not accepted, and the money was merely being collected, but not being spent as our part required, so I did not attend any further. Rs. 13,000 are taken from my *tahsil* every year in the shape of local rates; I personally pay Rs. 1,100 or Rs. 1,200 local rates; I pay about Rs. 20,000 as revenue per annum, and about Rs. 1,00,000 I pay annually for water rate for canals. I founded one bazaar, and I pay Rs. 600 income tax on that. Rs. 500 per mensem I pay as house tax from the bazaar. Nevertheless, when it is a question of expenditure, I have no voice—in fact, I am called upon to expend money myself. They want me to build roads, to water the roads, and so on, without their contributing anything. For a single aqueduct to convey dirty water, I have been ordered to repair it at my own expense, and nothing has been contributed.

38348. Who takes the revenue from the dirty water canal?—The Government takes it.

38349. Is there anything else you desire to say?—I think that officers should be directed to mix with the people more frequently and more sympathetically.

38350. What do you mean by sympathetically?—In the same manner as European officers mix among themselves. They consider the natives very low, sometimes they cannot be seen at all; on other occasions a visit to them by a native is fruitless.

38351. They do not get what they want?—They do not get what they want, or they are not pleased with it.

(*The witness withdrew.*)

KHAN BAHADUR SARDAR SULTAN IBRAHIM was called and examined (through an Interpreter).

*Khan Bahadur Sardar Sultan Ibrahim.*

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38352. (*Chairman.*) You live in Peshawar?—Yes; I live also in Lahore; I have villages in several different districts, Gujranwala and Lahore. Here also I have house property round about the city. I am a retired Extra Assistant Commissioner. I have been a pensioner for the last nine or ten years.

When the Local Government is the supreme power in the province, its powers must not be so limited, but the Government of India should give full powers to the Local Governments under it, so that they may be able to look after the welfare and prosperity of the provinces under their control.

Borrowing powers may be conferred upon the Local Governments to a certain specified limit. The Local

Government for raising the loan should proceed through the Commissioners, and they should contract with "*Raises*," *mahajans*, and money-lenders in a way that they may know all about the aim and object of the loan, and afterwards it should be notified in the Gazette and local newspapers.

The Local Governments should be given full powers in every department under them. The Local Government is the highest power in the province and it must be given full powers. This would be to the benefit of the Government and the raiyats.

Local Governments should be allowed to exercise their powers as they deem fit regarding the welfare of the provinces under them, and they may or may not



follow the other Local Governments in this connection, because they are likely to know more about the provinces under their administration.

Appeals should be allowed as before, so that everyone may be able to set his mind at rest having gone up to the final Court of Appeal, and there is no need of a certificate of the officer against whose order the appeal is instituted.

The revenue powers now in the hands of the Financial Commissioners should mostly be conferred upon Commissioners. Similarly Deputy Commissioners and Collectors should have the most part of the powers now exercised by the Commissioner. A Sub-Divisional Officer should also likewise have similar powers given him provided he be a European. The Financial Commissioner in his turn should have a greater part of the powers now in the hands of the Local Governments. Thus the work would be equally distributed and carried on smoothly.

Commissioners, Deputy Commissioners, or Collectors and Sub-Divisional Officers (if he is a European and has officiated as Deputy Commissioner for a period of at least five years) should be given full executive powers. Their powers should be unlimited concerning executive affairs, except that they should not be given powers to sentence to death, and even they may be allowed to pass a sentence of death after hearing the accused, when he may be convicted of murdering a European out of sheer malice, but a Sub-Divisional Officer should not proceed in a case like this without the express permission of the Deputy Commissioner. Special regard should be had of the Frontier Provinces in this respect.

Commissioners and Deputy Commissioners should be given full powers in order that the interest of the minor may be very well guarded and any surplus in the accounts of the property and estates of a minor should be lent to the members of such respectable families who may be on the verge of ruin on comparatively small rates of interest, and on realization, the principal along with the interest, should be added to the estate of the said minor, and thus the interest of the minor as well of some other respectable family would be very well looked after. All restrictions now imposed upon the Commissioners and Deputy Commissioners regarding their powers as to Court of Wards should be removed. But as regards those Courts of Wards which have comparatively a smaller amount of property of the minor, well-to-do members of the same village or of some adjoining village should be appointed guardians of the minor as the Government think fit.

Commissioners and Deputy Commissioners must be given extra powers to control the expenditure of municipalities and District Boards, and a complete inspection made by the Assistant Commissioners of their respective districts.

The prestige and influence of the Local Governments are moderate and they are bound by the rules prescribed for them. Any benefit which they desire to confer upon the raiyat deserving it is barred because of the observance of the rules laid down for their guidance. Accordingly such extra powers should be given to the Local Governments that their prestige may increase, and they may be able to win more popularity.

Secretaries deal with every case cursorily according to office routine, and thus the rights of people are generally ignored, while shifting enquiry should be made in each case, and the relief deserved be given to the party concerned.

There is no influence of the Commissioners in other departments except that of revenue. For instance, they, in spite of being fully alive to the wrongs done to the raiyats by the Irrigation Department, cannot take any steps against its officer because they have no control over him. The agricultural population who have their land irrigated feel quite miserable, and consider it to be a scourge sent down upon them by God. If an enquiry be made into the matter, it shall be known that although village outlets have every now and then been changed, yet no good result has been arrived at. This department is of no use, and is a cause of much unnecessary expenditure. If it be placed under the Commissioners or Deputy Commissioners, and an increased number of subordinates be given to them to carry on irrigation work, I am sure the Government

will gain lakhs of rupees and the raiyats will be much relieved. It is strange that a Commissioner is the head of the Revenue Department, and the means which are the main cause of bringing about a great deal of improvement are placed under quite a separate officer, and he has nothing to do with them. How can his opinion carry any weight or force in matters concerning other departments. The Irrigation Department should be amalgamated with the Revenue Department under the Financial Commissioner, except that the Construction Branch of the former may be kept separate under the control of the Irrigation Department.

Although the raiyats have occasion to see the officers frequently, still they are not so free as a rule, and feel shy when calling upon them. Considering the officer to be a man of a ruling class of a foreign country and nationality they feel afraid of him. Courts of panchayat should be established at every thana\* (Police Station), and Commissioners and Deputy Commissioners should hold meetings from time to time to study the hearts of the raiyats. These meetings to be held every third month by the Commissioner and every month by the Deputy Commissioner. In towns extra members should be nominated in each mahalla. By the introduction of the said panchayat they will have a hand in the government of the country, and so sympathy with the ruling nation will be engendered and they will try for its prosperity.

As regards the knowledge of the language of the raiyats, the officers are well versed in it and can make themselves understood. If any of them does not know the language and its pronunciation at first, he can acquire the knowledge of it in a short space of time. There is no very general complaint concerning this in the Punjab and the Frontier Province.

The existing powers of Commissioners and Deputy Commissioners are quite sufficient, but in the case of breach of the peace some special powers might be given; but such powers should be conferred upon those Deputy Commissioners who have worked as such for a period of at least five years, and at most ten years, and won popularity amongst the subjects.

Frequent transfers of Commissioners and Deputy Commissioners are not advisable, but amongst officers subordinate to the said high officials constant transfers ought to be made. Thirty-five years ago a Deputy Commissioner was confirmed in his post on reaching old age, but now on coming from England they have only to pass a probationary period of two years and then are confirmed, and are shifted from one place to another very often. This is detrimental both to the Government and the raiyats. If, for instance, a breach of the peace takes place, such officers can prove of very little use in putting an end to it. Deputy Commissioners who have worked for ten years must be given preference over others, and posted to big districts, where there may be a great deal of executive work to be performed, and those who may have worked as Deputy Commissioner for a lesser period must be posted in small districts. Deputy Commissioners should not be transferred except in cases of leave or emergency, and the officiating man should be an Assistant Commissioner who has worked for five years in the same district, and thus must be knowing a great deal about the *tahsils* and other things, and must be popular amongst the subjects.

The existing powers of the different heads of departments and of those officers who are under the Local Government are in my opinion quite sufficient.

The powers of the municipalities should remain unchanged, because they do not value their power and exercise their powers in a manner not worthy of them. A scheme for sanitary improvement should be set up in which the Deputy Commissioner may be the supervising officer, and for his assistance a sufficient number of men must be employed to work under him. A list of all the *kachas* (streets and lanes) of the city should be drawn up, and a general register be kept for this purpose. Names of *Raisas*, *sufaidposh* and pensioners and of other well-to-do people of every *mahalla* should be registered through the *tahsildar*. The *kachas* may be equally distributed into groups. The District Magistrate should nominate one man from

\* I mean that panchayats should be held in any locality lying within the boundary of every thana.

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every *kacha* as a Municipal Commissioner every year. Members so nominated should be given charge of the sanctioned work in their respective circles and they should be held responsible for it. There should be an establishment under every such member to carry on the sanitary measures adopted, and they should be given full powers to appoint and dismiss any one as they like. There is no need that these members should be elected by votes taken for them, but a nomination should be made out of that general register. They should be changed yearly, and one who might have done meritorious work during his office should be given a certificate or a *khilat* on his vacating the office. A meeting should be held every second month, and the President should be the Deputy Commissioner, and the subject for discussion the sanitary condition of every *kacha* in the city. Thus these people will have a chance of seeing the Deputy Commissioner, and the Deputy Commissioner will in his turn come to know more about the city. The same system should be introduced in the different *tahsils* of a district.

There is no need of establishing Advisory or Administrative Councils or holding such consultation meetings. No such matters come up before the Commissioner or Deputy Commissioner in which men called upon to attend such meetings may give their opinion. But Commissioners and Deputy Commissioners should hold *Majlis-i-Inkishafi* (a meeting to sound the mind of the public) in a manner as below stated. The Deputy Commissioner to hold a meeting every month and the Commissioner every third month. Thus a great deal of benefit would accrue both to the Government and the subjects. A list of well-to-do and educated people should be drawn up in every village. This list should consist of *sufuidposh*, *lambardars*, old men, intelligent youths, educated and uneducated, *muafidars*, *jagirdars*, *mahajans* and merchants.

Out of this general register 60 men should be selected to constitute the *Majlis-i-Inkishafi* of the district, and these men should hold their office for one year, and hold sittings every month. A notice of the meetings should be issued to a group of five persons before the date fixed for the meeting. The subjects for discussion in these meetings should be fixed by the Deputy Commissioner, and a group of five members should give in their opinion in writing. The subjects should be such as the damage caused to crops; their how and why. What steps were taken to prevent such blights, and what remedies. Whether English, Yunani or village customary ideas of removing such evils were adopted, and which of them succeeded. What steps should now be taken. The following subjects should be fixed every month by the Deputy Commissioner:—The strict measures taken by the police; bribery, and how to check its growth; famine and education. A spokesman of every group of five members should read out a paper on the notified subject. A regular debate will thus be carried on between the Deputy Commissioner and those present, and the meeting will then come to a close. If the Deputy Commissioner sees any such matter in which his interference is necessary, or in which he requires some assistance, he will issue his orders afterwards. The slips on which the members have given their opinion should be filed, and destroyed after a period of two years. On the second day of the meeting a dinner or tea-party should be given by the Deputy Commissioner at his place at the expense of the Government, and he should allow every one present to talk to him on any point they like and after this they may be allowed to depart. Every European Assistant Commissioner should also be present at this meeting. In the same manner the Commissioner should hold a meeting every third month, and the same proceeding should be adopted as by the Deputy Commissioner; but the Commissioner should select fifteen men per district from his division; and it would not be unadvisable if any Deputy Commissioner also attends this meeting.

The members of a District Board should be given powers to supervise the work of petty municipalities, as a Deputy Commissioner would be relieved of a great deal of unnecessary burden put upon him, and the municipalities will also have to use greater amount of care in their work.

There is no such system as the courts of panchayats or village-bodies in the Punjab. The powers of a panchayat Court should not exceed those of 3rd grade

powers. In my opinion these Courts should be established in all provinces, especially in the Punjab, and it will prove of great advantage to the Government and the raiyat, and the Government of India will gain in strength thereby, which every man of common sense can very well realize. These Courts should be thus organized:—Members of a panchayat should be selected from the general register kept for the *Majlis-i-Inkishafi*. They may be given civil, criminal and revenue powers to the extent of 3rd grade powers, and one panchayat to continue in office for a period of two years, so that every deserving man may get a chance to become a member thereof. The Education and Police Departments should be under the panchayat of their respective circles, and the powers of appointing and dismissing the *chaudikars* should be in the hands of the panchayat. In cases of murder two members out of the eleven which constitute a panchayat should be along with the investigating police officers, and they should be allowed to send in their opinion direct to the Deputy Commissioner.

Some of the advantages that are likely to accrue from introducing this system of panchayats are as follows:—a decrease in the number of cases coming up before the District Court; an increase in the information of the Deputy Commissioner as regards the inward and outward condition of every place; cases of the breach of peace would come to the knowledge of the Deputy Commissioner earlier; cases of dacoity would lessen and the perpetrators would be very easily apprehended; such idle persons who promulgate seditious ideas amongst the masses will thus be engaged in the work of the Government, and such persons would behave well in order to get a place in the panchayat; people will grow more sympathetic towards the rulers and its Government; abatement in bribery; and an advancement in education. But the District Magistrate should have nothing to do with the decision of cases and should be simply a supervising officer.

My proposals about the establishment of *thanawar panchayat Majlis-i-Inkishafi* and the appointment of Municipal Commissioners in every city and town without taking votes appear useful to the interest of the Government. I think that all meetings, congresses, etc., now held by the subjects will vanish. The aim and objects of these societies are to get the voice of the subjects heard by the Government. To realise them they strive and incur a good deal of expense. The Government would get a good many chances of studying the minds of the people. The subjects in turn will be relieved from the loss of heavy expenditure. It is apparent that the Deputy Commissioners being wholly and solely absorbed in the executive work will find very little time for the disposal of the judicial cases. Judicial work should be taken from the Deputy Commissioners and be entrusted to the Assistant Commissioners and the City Magistrates under them. The Deputy Commissioners will thus have sufficient time at their disposal for holding interviews with the people and thinking over the means beneficial to the good of the subjects. If any Deputy Commissioner shows negligence in the discharge of his duties in this respect to this matter he should have to give an account for his neglect. The Assistant Commissioners and City Magistrates who are popular amongst the subjects should officiate as Deputy Commissioner of the district. If he goes on leave no consideration should be paid to seniority or grade. In order to win the hearts of the people and become acquainted with them the Deputy Commissioner should join *Raises* and gentry in their marriage and funeral processions. Indians are half-cultured people and observe customs alien to those of the Europeans. As the Europeans have to pass nearly half of their days in governing them, so it is necessary that they should make themselves thoroughly familiar with the Indians. Such familiarity will not interfere with their influence, prestige and dignity. The name of Mr. Gladstone, the renowned Deputy Commissioner of Umballa, is remembered with great respect and honour by the people of that district. Though he was familiar with the subjects, yet his dignity and respect were not diminished a bit. He had neither handed over some territory to any one, nor had he bestowed treasure upon the other. The attitude assumed by some men of India in 1907 showed the height of meanness and despicability. Though they deserved to be shot there and then, yet the Government, being generous, treated them kindly. These faithless people had risen up against their benefactors,

who imparted sound education to them liberally. I feel confident that the Government will make the most of holding such like meetings, as it does now, in future.

38353. When you were in Government service was the correspondence carried on in the office in the vernacular or in English?—The correspondence was in Urdu; I do not know English at all.

38354. The whole of it was in Urdu?—The whole correspondence was in Urdu, except on special subjects, when it would be written in English.

38355. Do the Deputy Commissioners know the vernaculars well?—In the Punjab particularly the officers know the vernaculars well, and those who are new-comers pick it up quickly.

38356. And here?—Yes; this has been separated from the Punjab only recently.

38357. You say that the Sub-Divisional Officer should have larger powers given to him provided he is a European; why do you say that?—The Government has very graciously given us education, and the proper result should have been that to-day the gratitude which was due from the natives should have been exhibited, and the Government should have been able to feel gratified that its efforts towards education had been beneficial. Instead of that, we find that these people are ungrateful, and in fact the enemies of their benefactors. A century will be required before the people will be fit to be entrusted with powers. There may be one man in a thousand who could be trusted, but the general rule applies, and because we find one man in a thousand, we cannot say that that governs the whole case. A standard should be fixed for higher education. Besides other things I would include the wealth, and position of the family before the advent of British rule, and physical fitness; a certificate should be given only then. The mistake was made originally in this way. People accustomed to despotic rule were at once given access to education; their education was based on the wrong principles, and it proved harmful instead of useful.

38358. A witness told us that it was much better that the Deputy Commissioner should be respected than that he should be liked; what have you to say upon that?—We require both; if he is respected and not liked, that would mean nothing.

38359. (*Mr. Hichens.*) When you were Extra-Assistant Commissioner in the Punjab, were the transfers of Indian officials very frequent?—The transfers were very frequent then, and are very frequent now.

38360. Of Indian officials?—Both of Indian Native Extra-Assistant Commissioners and all European officers, except in my own case. I was for 39 years in this district, excluding three years when I was in the Mutiny. At the time of the Mutiny I was here, and in 1858 I got together some recruits, and went to the border of Nepal.

38361. You were yourself a long time without being transferred, but that was accidental?—It was quite accidental, on account of my services.

38362. How long should a Deputy Commissioner remain in a district without being transferred?—In my opinion such a province as the Punjab should be divided into four portions, and four or five districts in each portion should be so officered that the officers should work only in that portion, not going out of it until they retire. When he is originally appointed an officer should be consulted as to which part of the province he would like to go to, and as far as possible he should be retained in that part until the time of his retirement.

38363. A witness told us that in this province factions were somewhat prevalent, and that if a European stopped more than four or five years in one district he might become partial and take sides with one faction as against another; and the witness based upon that the argument that it was not well to keep a European officer more than four or five years in one district. What is your opinion as to that?—This applies only to this province, and not to the districts beyond the Attock river; there are no factions in that part. According to my principle, within the division an officer might be posted for four or five years in one district, and for another four or five years in another district and so on, till he completed his service.

38364. Do you think that in this province it is likely that a District Officer would take sides with one faction or another when he has such knowledge of the district as a man can pick up in four years?—European officers are not liable to take sides in cases of faction; there may be very rare cases, but that is generally not the case with European officers; it is not their habit as far as I have seen. I cannot say what will be the case in the future. That is the mark of distinction of a European officer.

38365. (*Mr. Dutt.*) You say that the Irrigation Department should be placed under the Commissioners or Deputy Commissioners; do you mean that the Irrigation Engineer in each district should be subordinate to the Deputy Commissioner in work relating to the people?—The Engineer of the canal should be subordinate to the Commissioner and the Deputy Commissioner, not in the construction of the canal, nor in the preparation of the scheme, but so far as the revenue collection work is concerned; because the Deputy Commissioner and the Commissioner are Head of the Revenue Department, and they see with their own eyes the people being tyrannised over, and they are not in a position to interfere, because the department is separate.

38366. In what way are the people tyrannised over?—The Canal Officer diminishes the water supply, and if to seek redress a man applies to the Deputy Commissioner, he is in the future debarred even from receiving the little water that he formerly got, because the complaint is resented. There would be a great advantage if two tahsildars were appointed in every *tahsil* with a canal, one for irrigation and one for revenue, and they should take the work alternately every year; one year the man doing irrigation work before should do the revenue work. In that case the tahsildar would himself think of the revenue, because if he does not give the water he would not be able to collect the revenue; then he will be discredited.

38367. Do you propose that a tahsildar should be associated with the Canal Engineer for the distribution of water?—No; there is already a *zilladar* for that work.

38368. Your idea is that the Irrigation Engineer should be under the orders of the Deputy Commissioner for the distribution of water?—He should be subordinate to the Commissioner also.

38369. You say that Courts of panchayats should be established in different places; will you explain what you mean by that?—My object is that the raiyat should be able to express his purpose to the officers, and should be able to fearlessly express whatever he has to say. Now that there is education in the country it would be to the advantage of the people if they were just made to understand that they also have a little share in settling their own affairs and a little share in the administration of their own affairs. The gulf between the European officers and the natives is very great, and the only way in which the raiyats can feel that they hold some position is to have the power to settle their own affairs.

38370. Do you think that if these village Courts were established there would be substantial justice done to the people?—Very substantial justice. The panchayat Court should be for every thana, not more than one.

38371. What are the benefits which you think would accrue?—The bribery and the tyranny of the police would cease; as soon as a panchayat Court was established, people would not go to the congress or to foolish lectures; they would find everything at home.

38372. They would be able to settle their own affairs in the villages?—Exactly.

38373. On the whole you think that these village institutions would be beneficial to the people?—The people would be benefited; bribery would come to an end; discontent would come to an end; the number of cases would diminish, and there would be more communication with the Deputy Commissioner.

38374. (*Sir Frederic Lely.*) Is there a District Local Board here?—Yes.

38375. Does that consist of leading and representative men?—There are representative and leading men in it.

38376. Are they as a matter of fact consulted in the management of Local Fund affairs?—Their opinion is

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taken by the Deputy Commissioner. The District Boards are not flourishing, but if they were given power over the subordinate municipalities in the district it would be better.

38377. (Mr. Meyer.) Are there Local Boards here for the *tahsils*, or only for the districts?—There are District Boards only, no *tahsil* Boards.

38378. Has your service been in the Peshawar district as an Extra Assistant Commissioner, or in other districts too?—I was *tahsildar* and *rissaldar* and Extra-Assistant Commissioner and native Adjutant. All in the Peshawar district, and three years in India.

38379. In this district you have a sub-divisional system?—There is a sub-division here at Mardan.

38380. And Naoshera?—I was also in charge of Naoshera, but not as Sub-Divisional officer; now there are two sub-divisions; Sir Harold Deane made two Sub-Divisional officers.

38381. But in most districts there are no Sub-Divisional officers?—Only in big districts such as Lahore, Ferozepore and so on.

38382. Generally is the system in the Punjab that the Assistant Commissioners and the Extra-Assistant Commissioners are all at the district headquarters doing any work that the Deputy Commissioner chooses to give them; one might do criminal cases, another excise, and so on?—That is the system.

38383. Which do you consider the better system; the system under which an officer is in charge of the sub-division and doing all the work there and the people can come to him, or a system like the one I have described?—I have no preference for one over the other; the existing system should continue; the people do not benefit by any change of this kind; that concerns the Deputy Commissioner.

38384. Which would you have preferred yourself when you were in the service; to be living out at Mardan, or to be at the district headquarters?—Every officer wants to have money, and as the Sub-Divisional Officer gets Rs. 50 more than another officer, you can understand.

38385. Who appoints the *tahsildars* and *naib-tahsildars* in the Punjab?—The Financial Commissioner.

38386. Might they be appointed by the Commissioners of divisions?—Yes; the Commissioners should be empowered to appoint them, because the Commissioners know the people better than the Financial Commissioner, and come more in contact with the people; also because the Financial Commissioner is hardworked, whereas the Commissioner has now nothing to do; he is a sort of postmaster.

38387. You would like the Commissioner, when there is one in the Punjab, to be a big man, not a postmaster?—He is the Governor of a division, and he should have irrigation, and revenue, and *jirga* work all

under him; at present he has no powers; he is a Governor without orders.

38388. You would like each Commissioner to be Governor of his division, with the Lieutenant-Governor of the Province above him at Lahore?—That is exactly what I mean.

38389. In this province what sort of people do they appoint as *tahsildars* and *naib-tahsildars*?—Those who share in the kindness of Government, but generally people of good families.

38390. Not clerks?—Less than in the Punjab.

38391. Did you attend the District Board meetings much when you were in service?—I never attended a meeting of the District Board; I never had leisure to attend it.

38392. Did you get any money for your sub-division from the District Board?—I never got any money.

38393. Might not the District Boards be used as the Advisory Councils that you suggest in the districts?—Not at all; my object is quite distinct.

38394. Why could they not be used?—My object is that the Deputy Commissioner should know everything that passes in the district.

38395. Could not the District Board members tell him that?—The District Board members are very ordinary people. For every *tahsil* a list should be made in which all clever people, all good people, all rich people, all the *sowcars*, all the zamindars, are included. When that list is made, it would come to about a thousand for every *tahsil*, and if there are three *tahsils* in the district out of each *tahsil* 60 or 120 might be selected for one year, and these might vacate their places the next year to the other names on the list; thus the Deputy Commissioner would meet with them once in three months and would know everything that passed in the district. The panchayat Courts should also be taken from this list. This register should be before the Deputy Commissioner and the Commissioner, and the Commissioner should select the names for his own Advisory Council, while the Deputy Commissioner should select his particular names. At the monthly meeting they would say what they had to say. About the present famine for instance, also the plague and weather crops were good or not; they would give information of everything that passed in the place to which they belonged, and the Deputy Commissioner would help those who were deserving of help. At first it would appear very troublesome, but the people would like it very much, and they would follow the lead of the Government. You would have no Congresses, no lectures. If the Government makes this arrangement, then the influence of agitators will not reach to the villages, because the villages will be already occupied; the people would oppose the Congress when they have access to the Deputy Commissioner.

(The witness withdrew.)

LALA PARMA NAND was called and examined.

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(Chairman.) You are Secretary to the Municipal Committee at Abbottabad?—Yes, also a member of the District Board, and a Barrister-at-Law.

The Government of India is being worked on the principle of a joint Hindu family with the Governor-General at its head. As the control of the whole family is centred in the *patria potestas*, so the Government of India acts as to the other Local Governments. If one were to examine critically a joint Hindu family, he will find that the advantages that accrue from this institution do not outweigh the disadvantages. So the scale preponderates towards individualism. In the same manner the Local Governments should be made more independent than they are in the revenue and in the general administration of the provinces. If some of the incidents of a joint Hindu family are maintained while others are given up, the system may work well. It often happens that very urgent demands of one province are ignored for the sake of some scheme in another province: e.g. it is admitted by all connected with the North-West Frontier Province that a railway from Hasan Abdal to Abbottabad will be a paying concern. The Local Government is perhaps convinced of the desirability of

this scheme. The district of Hazara is sure to develop its resources to the fullest extent and increase its revenue, but the Local Government is powerless, and unless sanction is given by the higher authorities, the work cannot be taken in hand. In the same manner some rivers require to be bridged over, and if a large sum is to be spent the sanction cannot be accorded by Local Government. People may suffer, the revenue may suffer, but nothing can be done till the sanction from the above is obtained.

I would not curtail the right of appeal to the Local Government or the Government of India. It may happen that at times a case may be very clear and no interference on the part of higher authorities may be necessary, but sometimes cases do arise in which injustice is done and the wrong is rectified by the right of appeal. It is an instinct inherent in the Indian mind to seek redress of their grievances from the highest authority. Even in Moghal times the Emperors gave free access to all those who complained of any injustice done to them by the Governors of the provinces. Even at the sacrifice of public time the right may not be curtailed at all. It is not desirable that appeals be only allowed in cases where certificates

are granted by authority passing the order appealed against that reasonable grounds of appeal exist. This restriction, if it does exist, may be removed. Similarly appeals to heads of Departments and Commissioners may be permitted.

Executive Officers have not sufficient opportunities for personal contact with the people. They are very busy with their work, judicial and otherwise. They are not often out in camp. They are not accessible to the generality of the people. Several persons do not go to see them as they are not properly treated. Many educated men will refrain from going because they are compelled by officers to take off their boots or shoes; others have to wait long outside the bungalows. Some would refrain from going as the orderlies would not report as long as they are not paid. Some officers are careful to avoid these obstacles; others do not.

Existing obstacles may be removed. The Executive Officers when out in camp may invite the leading men of a town or village and talk to each and every one of them. They may sometimes make surprise visits to villages and talk to village men and enquire about their grievances. In big towns it is desirable that Indians and Europeans should meet on social gatherings to which the Executive Officers are invited. In the Hazara district the Deputy Commissioner has arranged for holding a horse and cattle fair. On this occasion there is always a large gathering, a sort of tournament is held, and the Deputy Commissioner takes a keen interest in the matter. He mixes freely with the people assembled, and a sort of mutual fellowship is created, which goes a long way in cementing together the rulers and the ruled. Some officers keep a haughty demeanour towards the people of India and look down upon them. They are under the impression that if they freely talk with the people they lose their prestige. They in fact try to keep the people awe-stricken. Such officers cannot know the inner feelings of the people, who always hold aloof and would never give their mind to them.

There is no doubt that the majority of the Executive Officers possess a sufficient knowledge of the vernaculars. The new officers do not speak fluently to make themselves quite intelligible but in time they do learn the vernaculars right enough.

Great care ought to be taken in the selection of officers. Merit, and not seniority, should be the recommendation for the appointment of Executive Officers. Some officers on account of their *zulum* and utter disregard of procedure prove a terror to the people, and to whatever district they are transferred they carry their habits with them and produce a baneful effect upon the people. They estrange the people from the Government.

Transfers should not be too frequent, nor an officer be allowed to stick to one district for a period of more than from three to five years. No transfer should be allowed except under special circumstances within three years, and no officers should be allowed five years in one district.

Larger powers may be granted to municipalities. I have worked as a Secretary to the Municipal Committee of Abbottabad for about three years, and members when they begin to take interest in the municipal work do carry on the business in a proper manner. As long as they are not made responsible for a certain work they feel less interested, but the moment a duty is cast upon them they begin to realize their position and try to perform it in a conscientious manner. It is necessary that the Deputy Commissioners may have control over the general conduct of the business, but now the time has come that the municipalities at the headquarters may be allowed a larger hand in the administration of the municipal affairs.

District Boards are doing useful work, but not so much as is being done by the municipalities. The members feel that they carry no voice; they do not interest themselves in the work; they think their visit to the headquarters is a trouble to them, and therefore the Deputy Commissioners have to keep a watch over their attendance. This is due to the fact that they are not made responsible for the work and no duty is assigned to the members. In the Hazara district many valuable suggestions are made by the members in connection with roads, canals and other matters; they are being trained to undertake the responsibilities, and in the near future they will be able to manage their affairs alright.

The present functions of the municipalities and District Boards which have existed for the last ten years may be suitably extended.

I am in favour of the creation of a Council to assist District Officers. This Council should be a representative one. All tribes living in the district may be represented in it. Each municipality of the district should send one or two members to this Council. District Boards should also be represented. They should meet twice a year or as often as the Deputy Commissioner or the Sub-Divisional Officer may require them. If the question relates to something in which the whole district is concerned, then all the members may be invited; if it is a local question, then the members selected from that locality may be invited. This Council will bring the Deputy Commissioner into closer touch with the people and he will be better able to explain the intentions of the Government to the general public, and many misapprehensions will be removed. If questions in connection with plague, or an epidemic, or the destruction of rats, etc., are to be notified to the people, these Councils will be the best mediums to inform the people. These Councils being representative, the members may be made responsible to advise the District Officers as regards their educational, sanitary and police needs. The members may bring to the notice of the District Officers any increase of certain kinds of offences. These Councils may also be the means to appoint village or town panchayats. In fact, after the panchayats are organized, they may be allowed to select a member to represent that body in the Advisory or Administrative Council of the district.

It is not necessary to invest District Boards with powers of supervision and control over the smaller municipalities in their respective districts. In the Hazara district there are four municipalities, out of which two, *viz.*, Baffa and Nawashahr, are small municipalities. It is better if all these are allowed to manage their own affairs. The District Boards have plenty to interest themselves otherwise.

Village communities can be of great use. At the outset their work may not be quite satisfactory, but when they are trained and made to realize their position and responsibility they will surely work in a manner conducive to the welfare of the society. The panchayat system has always been a great force in this country, and if this institution is given a legal sanction it is sure to work out well and relieve the Government of many of its burdens. Lately the Deputy Commissioner, Hazara, heard complaints against the Forest Officers of their tyranny to the people: he wanted to put that down; but he also mentioned that he did not like the offences against the Forest Law committed. He wanted a solution to this difficulty. My reply was that the people did not help the Government in this matter. The people knew that there were a Deputy Conservator, an Extra Assistant Conservator, a Forest Ranger and a guard, and that it was their duty to protect the forest. They would connive at an offence being committed, firstly, because it was not their concern to prevent it; secondly, to escape themselves from the harassment of attendance in Courts, they would like to keep quiet. Thus the Forest Officers are perforce compelled to make false evidence, and if they succeed by this means, they begin to make false cases. My reply was that the people should be interested in the preservation of the forests, certain rights given to them, and village panchayats formed. They may be allowed to try the forest offences, and, as prompt action will be taken, evidence will be soon forthcoming, and offenders will be at once detected and the forest saved. The *jirga* system is already in vogue in this district, and it can be an effective measure to decide civil and petty criminal cases. The villagers at once know the offenders and it becomes a common talk of the place. If Courts of Justice find difficulty in coming to a right conclusion, it is because the evidence is not forthcoming; but in villages, if panchayats are given the power, they can at once find the true state of facts. In civil matters the village panchayats may be allowed to hear cases up to Rs. 100. *Ilaka* panchayats may hear up to Rs. 200, and the district panchayats to Rs. 500. The members of a panchayat may be numerous, and selections may be made out of them. Litigation, both civil and criminal, can be reduced. The expense of attendance at Courts will be materially reduced and the zamindars saved from the litigating propensities. People who rush to

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Courts on imaginary grievances will be checked in their career. These village communities when properly organized will act as Municipal Committees, and all local affairs relating to revenue, police, sanitation, education and other matters will be properly disposed of by them.

38396. Who is the Chairman of the Sub-Committees?—There is no Chairman. On the Sanitary Sub-Committee the Civil Surgeon is the Chairman, and he leads there; then on the Public Works Sub-Committee there is a contractor who well knows the work, so he leads in that matter.

38397. Do you wish to see the Deputy Commissioner continued as Chairman of the municipality?—I would rather like that some non-official member should be the Chairman; the members would then feel a sense of responsibility and would take greater interest in their work; at present the real work is done by the officials, and the members do not take a great interest in the work. The moment the burden is thrown upon them they would take interest in the work.

38398. What is the size of Abbottabad?—It is a small place, only about 7,000 population; there is the cantonment, and along with that there is a civil station as well.

38399. Out of a small number would you get a fit person to be Chairman?—They are mostly men who are employed in offices, and there are contractors; the town has grown only since the last fifty years; it is not a very big town; there are good people who could be had to do the municipal work.

38400. How often do you meet?—About twenty times a year.

38401. You are a member of the District Board?—Yes.

38402. How often does that meet?—Once a month.

38403. Who is the Chairman?—The Deputy Commissioner. There is no Vice-Chairman; the District Judge is *ex-officio* Secretary to the Local Fund.

38404. Does he attend the meetings?—Yes, always.

38405. Do they work through committees?—They have got sub-committees, but I do not think they work through them at all.

38406. (Mr. Meyer.) Have not tahsildars here civil jurisdiction as well as criminal?—Yes.

38407. Is that the case with the Assistant Commissioners and the Extra-Assistant Commissioners?—Yes; the Extra-Assistant Commissioners and Assistant Commissioners have first class powers, while the tahsildars have third class civil powers and second class magisterial powers; with second class magisterial powers they can imprison for six months; the third class Munsifs can only try cases up to Rs. 100.

38408. Have you Munsifs and Subordinate Judges as well as the Revenue Officers?—Yes; there is one Munsif who would hear cases up to Rs. 500; he is a second class Munsif; only petty cases are sent to the tahsildars, within Rs. 100, while the District Judge has pecuniary powers up to any amount.

38409. The Assistant Commissioner or Extra Assistant Commissioner has first class powers?—The first class powers of a Munsif.

38410. The same as if he were a regular Munsif?—Yes.

38411. Do you have much criminal and civil practice outside Abbottabad?—Not much. Nearly all the officers live at Abbottabad except at one place, Oghi, which is just on the frontier; there the Political Officer is a first class Munsif and has first class magisterial powers; I may have to go to Oghi; otherwise the majority of the officers are at headquarters, and therefore I have not to go much outside.

38412. Who is the Chairman of the municipality at Abbottabad?—The Deputy Commissioner.

38413. Does he attend often?—The Deputy Commissioner is Chairman, the District Judge is *ex-officio* Vice-Chairman, and the Vice-Chairman practically runs the municipality.

38414. Does your budget go up to the Commissioner?—Every year; it must be sanctioned by the Commissioner.

38415. Does he make many alterations in it?—Not many; generally he agrees with what we say.

38416. Who prepares the budget?—I prepare the budget in consultation with the Vice-President.

38417. How long have you been Secretary?—Since three years I am Honorary Secretary.

38418. Does the municipality work by committees?—We have sub-committees, one for the Public Works Department, one for sanitary purposes, one for octroi purposes, and one for education purposes.

38419. Do the members attend?—Yes, generally they do.

38420. And they do a good deal of work?—Most of them do, not all of them; we do get a lot of work from them, because if the Chairman is very careful he would ask the sub-committee to do their work properly, and they really do take an interest in their work.

38421. It has been suggested that the *jirgas*, who, I understand, are special juries for dealing with cases of grave crime and occasionally Arbitration Courts, might be used more for ordinary civil and criminal work instead of people going to the usual Courts; what would you think of that?—The *jirgas* are not properly constituted bodies. We had one Deputy Commissioner, Major Thompson, whose practice was that, whenever a District Board meeting was called, at that meeting all the *Khans* were invited; he would take a few of them and appoint them as elders. His object in that was this: people sometimes get prejudiced or they may be bribed, therefore he would pick out from the District Board certain people who would be free from any corruption. The drawback was that these men would not go to the place about which they were investigating, and were apt in that way to take a different view of the matter than they would have had if they had investigated on the spot. Under the Frontier Law a civil suit can be referred to a *jirga* when a breach of the peace between the parties is apprehended. The decision of the Deputy Commissioner is final, and the decree can be revised by the Chief Commissioner only. As for criminal powers, I do not know that they would work very satisfactorily to decide criminal cases, but as far as civil cases are concerned they would be really useful. It would be a saving of expenditure. Arbitration or compromise in such cases is much preferable to taking the case right through the Courts.

38422. Does your municipal budget go to the Revenue Commissioner?—Yes.

38423. When you have to re-appropriate, do you have to go up to him too?—Yes; if there is a re-appropriation from one sub-head to another sub-head under the same head the Deputy Commissioner can do that, but if there is a re-appropriation from one head to another head it must go to the Revenue Commissioner.

38424. Have you any references of that sort?—Not many; at the end of the year we make some; I do it at the end of every year once or twice.

38425. You pay for the schools?—Yes.

38426. And for vaccination?—Yes.

38427. Do you have anything to say to the management of schools?—The whole thing is in the hands of the Committee; we have a sub-committee which looks after the schools. That is only one school which is within the municipal limits; we have no concern with the schools in the district.

38428. Speaking of the school within the municipal limits, you can appoint your own masters?—Yes; we have to apply to the Director-General of Education for men, but the appointments lie with the Committee and with the Deputy Commissioner. Ordinarily the matter is brought before the Committee, but the whole thing lies in the hands of the District Judge, the Vice-President or the President.

38429. In the District Board have you got power over the school establishments?—There is power, but I do not think it is exercised by the members; it is generally exercised by the Local Fund Officer or by the Deputy Commissioner himself.

38430. It is not the case, as in some places, that the inspector of schools or some deputy inspector runs the schools?—The inspectors of schools who visit the schools make reports, and of course we are bound to consider the reports of the inspectors; as to the promotion of masters we have to ask their opinion; if there is an appointment to be made we submit the papers for the opinion of the inspectors to see whether they approve of the appointment or not.

38431. The inspectors belong to the Government and not to the District Board?—That is so.



38432. Who manages vaccination?—Within the municipal limits it is managed by the Municipal Committee, and outside those limits by the District Board.

38433. And dispensaries?—Also by the District Board.

38434. The District Board say where they will have a dispensary, and they can get a Hospital Assistant removed if they do not like him?—Yes.

38435. Did you ever have any *tahsil* Boards?—No, we have not any *tahsil* Boards, only District Boards.

38436. What size is your district?—We have three big *tahsils*; in area the district is a large one; it stands second in this province as regards population.

38437. Would it be desirable to have *tahsil* Boards?—I do not think so. One district is quite enough; it depends of course on the interest which the District Magistrate takes. If he takes an interest the attendance is very regular and the members take interest, but if he is a little slack they will begin to stay away and not to take much interest.

38438. Did you ever have a non-official Vice-Chairman of the District Board?—No.

38439. Might you have one if you could get a good man?—We have men who would do the work, but they should be under the control and supervision of the Deputy Commissioner.

38440. The Deputy Commissioner would remain President and you might have a non-official Vice-Chairman?—Yes.

38441. Do you know about other places?—In big towns there may be non-official Vice-Chairmen, but in the majority of cases the Deputy Commissioner is the President.

38442. One of the Assistant Commissioners really does the work?—That is so.

38443. You speak of how much better it would be if the people were put to manage their own forests, because then they would understand the benefit of them; but are there not large village forests already in the Hazara district?—There are two kinds of forests, one is protected forest and the other is Government forest; in the Government forests no one has any hand but the Deputy Conservator; in the protected forests zamindars have certain interests; they can apply to the Deputy Commissioner for certain trees and the trees are given to them free; they are called *Gwala* forests. The Deputy Commissioner always complains that there are fires in his forests, and also there are complaints of the forest rangers cooking up false accounts against zamindars. This difficulty could be done away with if we had village panchayats who were made responsible for the upkeep of the forests; there would be no fires and they would manage better than at present. Now, if a man is seen setting fire to a forest, the man who sees it will not become a witness, he will be afraid to give evidence; he will not try to get the man arrested and punished, because he would say it is not his responsibility—there is the forest guard, there is the Government; but if these men were made responsible, then they would be on the look out that there should be no fires in the forests, and if any offence was committed they would try to get the offender punished.

38444. (Mr. Dutt.) The District Judge is the highest officer in the district in civil matters, and the Deputy Commissioner, the Assistant Commissioner, and the Extra-Assistant Commissioner, all exercise civil powers?—Only the Assistant Commissioner and the Extra-Assistant Commissioner.

38445. Is there a separate class of officers called Munsifs?—Yes, they only try civil cases.

38446. Where do they come in?—Their appointment is direct from the Judicial Commissioner; they only try cases up to Rs. 500.

38447. Is there a Munsif in every district or every *tahsil*?—There is one Munsif for every district; if there is extra work, sometimes they give Additional Munsifs to get the work done.

38448. He is a sort of assistant to the District Judge?—Quite so.

38449. Who elected you Secretary to the municipality?—I was nominated by the Deputy Commissioner; there is no system of election; it depends on the Deputy Commissioner.

38450. Does he nominate all the members?—Yes.

38451. What is the income of your municipality?—As far as the octroi is concerned it is about Rs. 18,000; last year the budget was about Rs. 31,000—the whole income from various sources.

38452. Do you have to hand over any portion of that money to the cantonment?—We have a joint octroi system; our previous arrangement was that the octroi levied on articles imported to cantonments was paid to the cantonment, and that on imports within municipal limits was credited to the Municipal Fund. The expenditure was distributed in proportion to the income. The military authorities protested that as the population of the military cantonment was greater than that of the civil station, they ought to get a proportionate increase in the octroi income; the arrangement now agreed upon is that we will have to pay one-fifth of the whole income to the cantonment.

38453. Roughly speaking, you think that that would be the proceeds of the octroi for the things which go to the cantonment?—Yes. We pay one-fifth of the whole income to the cantonment.

38454. Who appoints the Secretary to the District Board?—The District Judge is always *ex officio* Secretary to the District Board.

38455. Does he belong to the Provincial Service?—Not necessarily; if there is an Assistant Commissioner of course he belongs to the Covenanted Service, but an Indian District Judge will also act as Secretary.

38456. Is that according to law or according to practice?—According to practice.

38457. According to law have the members the power of electing their own Chairman?—In first class municipalities, that is so.

38458. I am speaking of District Boards?—In the case of District Boards the power is there, but it is never exercised.

38459. The members have also the power of electing their own Vice-Chairman and their own Secretary?—That is so.

38460. Is primary education entirely in the hands of the District Board?—As far as District Boards are concerned, the whole expenditure is borne by the District Board.

38461. Who supervises and manages your primary schools?—There are inspectors of schools; first of all there is the district inspector; he is in charge of all the schools in the district; he visits every school twice a year.

38462. I do not want the details, but generally, you say, the inspection is done by the inspector and his subordinates?—Yes.

38463. Are they under the orders of the District Board or under the orders of the Education Department?—They are under the orders of the Education Department.

38464. They are not in any way under your orders or control?—No.

38465. Suppose you wanted to withdraw a grant from a particular school or to endow another school, have you to rely on the recommendation of the inspector?—On the recommendation of the village; if there is a village in which a school is said to be wanted, the District Board will consider the application, and it may ask the inspector whether he has anything to say upon it; if the inspector says, "This is a good village and there is good prospect of an indigenous school being started here," he would recommend the Board to sanction it.

38466. The final sanction is given by the District Board?—Yes.

38467. Both in the case of giving a grant and in the case of withdrawing a grant?—Yes.

38468. Does that arrangement work well?—I think it does.

38469. You do not propose to have sub-inspectors or inspectors paid by the District Board to do the work?—I think the present arrangement is satisfactory.

38470. You say that "The *jirga* system is already in vogue in this district and it can be an effective measure to decide civil and petty criminal cases." Do

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you propose to have a sort of standing *jirga* in every thana, or in every district, or do you propose to appoint them as occasion arises, as is the present practice?—First we should have village panchayats; the village panchayats should have civil work up to Rs. 100; these village panchayats might try ordinary assault cases in the villages; then there should be an *ilaka* panchayat, which should have in its control say, 10 villages.

38471. The *ilaka* would not correspond with the limits of a thana necessarily?—That would be arbitrary; it might correspond with the thana; that would be an arrangement that might be made afterwards. The thana would do very well to make an *ilaka*, or a *tahsil* might be an *ilaka*. In that *ilaka* there should be some responsible persons elected. Then I would submit that if a case could not be decided by the village panchayat, the parties should be asked to choose any men from the *ilaka* panchayat. They would have, of course, to choose men from the number of names that are on the file of the *ilaka* panchayat. The parties might be asked to accept certain names, and when they told us what names they accepted, those men should be given power to try cases up to Rs. 100. Then there should be a district panchayat, to which very good men, men of good standing, should be nominated, and from among them selections might be made to try civil cases, as well as criminal cases, and their decisions should have legal sanction. The same might be the case with the *jirga*, only those men should be appointed as *jirga* men whose names are on the list of the district panchayat.

38472. You would not have two separate bodies?—No.

38473. By associating the people in this way with the dispensing of justice would the result be on the whole beneficial?—Quite so. Zamindars whenever they have any small cases have to stop at headquarters for two or three days; sometimes adjournments take place and cases may go on for one or two months; it is such a great loss to them that they really borrow money in order to come to headquarters, and thus they incur debts which they would avoid if they could simply refer their ordinary cases to the panchayat of the place.

38474. (Mr. Hichens.) You say that no officer should be allowed to stick to one district for a period of more than three to five years; what is your reason for that?—My reason is this, I say that at least they should stick to each district for not less than three years; if they are transferred oftener they do not get much information about the place.

38475. But you say that they should not remain for more than five years?—It should not be less than three and not more than five years. My object is that they should never be transferred under three years.

38476. But why not more than five?—Because five years is quite enough for an officer to stay in a place; if he is a good man, other districts should get the benefit of him; if he is not a good man, the sooner he is transferred the better. For five years he should remain, and he might shew his usefulness, or not; after five years he should be transferred to some other district.

38477. If they were all good men you would like them to stay on indefinitely?—I would say that if they were all good men we should have the benefit of them after the five years.

38478. Who nominates the members of the District Board and the municipality now?—The Deputy Commissioner makes recommendations, and then the Chief Commissioner sanctions the appointments.

38479. Are you quite sure?—As far as the municipalities are concerned I know that names are sent

up to the Chief Commissioner and he sanctions them, and then they are published in the Government Gazette.

38480. Do any of the villages round about here hold grazing land and lands for fuel and pasture and so on in common?—In the Hazara district nearly every village has common pasture land, and all the villagers send their cattle for grazing purposes; it is generally not partitioned among the members, but is used by them in common for the grazing of the cattle of the whole village.

38481. Who decides any dispute that may arise with regard to that?—If there is a case of title it will go to the Civil Court, otherwise the Revenue Courts are given jurisdiction to try cases about partitions of these common grazing lands.

38482. They do not settle disputes among themselves?—No, there is no system of people referring cases to any *jirga*, or any panchayat; generally if they have any case they at once rush to the Courts and get their rights decided.

38483. Are the lands themselves on the whole adequate for the purposes for which they are intended?—They used to be very adequate, but attempts are now made to partition them. If there is a large piece of grazing land, the proprietors would like to get it partitioned, reserving one-fifth for grazing purposes, and the other four-fifths partitioning amongst themselves. This process which is going on is very harmful for the general people, because the landlords monopolise the whole of the land and leave the people to look after their cattle themselves.

38484. Is that against the law?—It is not against the law, because the law gives them the right to partition, but it is undesirable that common grazing land should be allowed to be partitioned. The landlords should not be allowed to monopolise the whole of the common grazing land. There is one point I should like to mention as regards the powers of Local Governments. In my own district we wanted a railway since a long time; there is no railway connection in the Hazara district. The matter has been discussed, and even the Local Government has agreed that it would be desirable and useful to the district in order to develop its resources. Our district is well known for timber; we could send timber from that district to many others; it is also a fruit-growing district; but there being no railway we cannot develop the resources of our district very much. The Local Government is satisfied that if the railway were to be established it would be a paying concern. Nevertheless the Government of India will not sanction the railway. So far, the control of the higher authorities over the Local Government is really very strong; if that was done away with the provinces would be better able to arrange for their own purposes.

38485. (Chairman.) How long is this railway that you want?—It is only 40 miles.

38486. Could the money for that railway be found locally?—My father, who is a landholder and a contractor, sent a letter to the Government of India stating that if permission were granted for a railway to be constructed from Hasan Abdal to Abbottabad, simply as a private enterprise, the money would be found. The Government of India replied that it was a frontier railway and that the Government must insist on keeping it within their own control. My contention is that, if the public were prepared to start a railway, there is no reason why it should not be given a chance; this railway would be useful and it would pay.

38487. So that in this particular case the money would have been forthcoming locally?—Yes.

(The witness withdrew.)

Mr. SUNDAR SINGH was called and examined.

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38488. (Chairman.) You are a pleader at Peshawar?—Yes.

The powers now conferred by the Punjab Court of Wards Act on the Local Government should be conferred on the Financial Commissioner, and the Commissioners of divisions be constituted Courts of Wards for their respective divisions. The Punjab Court of Wards Act has been extended to the North-West

Frontier Province by Regulation 5 of 1904, but the change proposed for the Punjab is not feasible for this Province as we have no Commissioners of divisions in this Province. The provisions of the Court of Wards Law should be extended so as to embrace the cases of persons other than "land-holders," who by reason of their wealth deserve the protection of the said law. The present law, although applicable to

"land-holders" of however small property does not apply to persons other than "land-holders" however large their property may be. I would further recommend the repeal of the proviso to section 5, subsection 2 of the Punjab Court of Wards Act of 1903.

I would not propose any alteration in the matter of administrative appeals to the Local Government nor require a certificate in this case as to the reasonableness of the grounds of appeal from the authority appealed against. But in the case of personal appeals the requisition of such a certificate might be made a condition precedent to the presentation of such an appeal. Some limitation of time should, however, be fixed within which such appeals should be preferred, and no appeal should be admitted after the expiry of the prescribed period unless the appellant satisfies the Local Government that there was sufficient cause for his not preferring the appeal within the prescribed period. When the appeal has once been decided by the Head of the Department to which the appellant belongs, I would not allow a second appeal to the Local Government. But in cases when the order impugned was passed by the Head of the Department himself, not on appeal, but originally, the officer affected thereby should be allowed to have his case heard on appeal by the Local Government.

Executive Officers in our province have many opportunities to come into contact with the people. They do not fail to take advantage of such opportunities to ascertain the matters that are useful to them in the administration of their charges. There are no obstacles in the way of Indian gentlemen desirous of interviewing the officers. Every facility is afforded to the people to see the officers and to express their views and opinions.

The officers of this province possess sufficient knowledge of the vernaculars of the province.

A general increase is required in the administrative staff. The officers are very overworked. With all the hard labour they have to do at the sacrifice of their health they cannot efficiently cope with their duties. This is not due to any want of devotion to the work on their part, but to the multifarious duties they have to perform and the heavy bulk of their work.

The areas of districts as at present constituted are enormously large, and certainly a reduction in their areas is necessary to conduce to their better administration.

A reduction in the areas of the tahsils is also required.

In the event of grant of larger powers to Commissioners, Collectors and other local authorities greater care will be involved in their selection and seniority will have to be set aside in favour of merit.

At times the transfers of officers are frequent but I cannot say that they are unnecessarily so. The exigencies of the Public Service require such transfers. The paucity of officers has mainly to account for this. An increase in the administrative staff will to some extent reduce the necessity of so frequent transfers.

I am not in favour of granting larger powers to (a) municipalities, (b) District Boards and (c) Sub-Divisional or Local Boards and village unions. The conditions of the country do not allow the grant of any larger powers to such bodies. I do not think that the functions of these bodies can be suitably extended.

I am in favour of the creation of Advisory Councils, but not in favour of the creation of Administrative Councils. I would constitute the Advisory Council by selection of its members from among the different communities of the district for which the Council is constituted in such a way as to represent all the interests of the districts. Only such persons should be nominated as members who by their character, position and education are qualified to represent the various interests involved. Each member should be appointed for a term of two years to be eligible for reappointment if he has proved himself a capable person to serve on the Council. The functions of the Councils should be to advise the Divisional or District Officer, as the case may be, on matters affecting the general administration of the division or the district, but it may be left to the option of the Divisional or District Officer concerned to accept or not the opinion of the Council. I am positively against the appointment of the members of the Advisory Council by election.

It would not be expedient to invest District Boards with powers of control over the smaller municipalities within their respective Districts.

It may be possible, but it is not desirable at all, to give greater powers to the village communities in the disposal of administrative affairs.

38489. Are you a member of the municipality here?—I was.

38490. Were you nominated?—I was: all members are nominated here; there is no election.

38491. You say, that some limitation of time should be fixed within which appeals should be preferred. What time would you suggest?—At least two months.

38492. And if they were not presented within that time?—Then they should not be admitted at all.

38493. You say, that there are no obstacles in the way of Indian gentlemen who desire to interview officers?—Yes; confining myself to this province only.

38494. Do you find that people come up quite freely to discuss their grievances?—Yes.

38495. Are they received in a friendly spirit?—Yes; the "sarafs" have been received in a very friendly way by the Chief Commissioner and the Deputy Commissioner and every consideration given to their views.

38496. Is there a Court of Wards in this province?—Yes, the Punjab Court of Wards Act has been extended to the Frontier Province.

38497. Are the Financial Commissioner's powers all that could be desired?—I submit that the powers which are now vested in the Local Government may be delegated to the Financial Commissioner or the Revenue Commissioner of this province, and that would satisfy the people and the requirements of the case too.

38498. You are in favour of Advisory but not of Administrative Councils. Do you think the *jirga* would take the place of the Advisory Council?—No, I would not say that, because the *jirga* people are selected from the ordinary people; I would prefer that the Council should be composed of people of position and also of education.

38499. And that they should be nominated by the Deputy Commissioner?—Yes, in consultation with others, and from his personal experience of the district.

38500. As a matter of fact, does the Deputy Commissioner and other officials consult local opinion at the present moment?—In some cases only; some officers do not do so.

38501. Would you like to see it made compulsory upon them to do so?—I do not say compulsory; an Advisory Council might be constituted and it might be left to the option of the Deputy Commissioner whether he should consult them in matters which were of vital importance to the people.

38502. Would you leave it very much to the discretion of the Deputy Commissioner?—Yes, because we are so much mixed up with political matters on the frontier.

38503. You are against the appointment of the members by election?—Certainly; that would lead to bloodshed here.

38504. (*Mr. Dutt.*) What is your idea as to the number of men who ought to compose an Advisory Council?—We should take into consideration the various interests concerned and then appoint persons to represent these interests; I do not say that the numbers should be inordinate, but, say, about 20 in a district.

38505. Would the Deputy Commissioner, when he wanted to consult them, have to summon them all, or would he only ask those whom he thought fit to give advice on any particular subject?—I would be particular in that; firstly, they should be chiefly the persons who are conversant with the matter, and if you want to go further other members might be consulted.

38506. So that you would have a Council of about 20 members and the Deputy Commissioner would consult those whom he thought fit?—Yes, and who were conversant with the matter in question.

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38507. Supposing the members wanted to represent something to the Deputy Commissioner would you empower them to bring forward any matter which was exercising the minds of the people?—Certainly, I would give them power to make representation.

38508. You say it may be possible, but it is not desirable at all, to give greater power to village communities; what powers have they now?—Practically in this district we have no village communities as in Madras and other places, but there are some privately constituted Councils, and it may be that they might have some powers, but I would not give them any further powers at all, having regard to the peculiar circumstances of the province.

38509. Do you refer to the whole province?—Yes, because the faction feeling is very high and under those circumstances it is not desirable to give them any further powers.

38510. When were you a member of the municipality?—From 1895 to 1898, and I was municipal counsel for 10 years.

38511. Does the municipality appoint a pleader of its own?—Yes, and I am notary public of the district too.

38512. Are there many primary schools supported by the Peshawar municipality?—Very few.

38513. Are there any dispensaries supported by the municipality?—Yes, there are four dispensaries and one hospital entirely supported by the municipality.

38514. Have you a dispensary or a Hospital Committee which looks after them?—No, the whole matter is left in the hands of the Civil Surgeon.

38515. Who appoints the Hospital Assistants?—The Assistant Surgeons are appointed by Government and the Hospital Assistants are appointed by the Principal Medical Officer, or, as we call him, the Administrative Medical Officer.

38516. So that you have no hand in appointing doctors to these institutions?—No.

38517. Do you sometimes inspect them, or make any remarks about their management?—No. The members have no power of that kind.

38518. So that only a certain amount of money is taken from you to support them?—Yes, they are provided for in the budget.

38519. Who inspects the primary schools?—The district inspector. He is a Government servant.

38520. Do the members of the municipality inspect them?—No.

38521. Have you any sub-committees in the municipality?—We have a Public Works Sub-Committee, a Finance Sub-Committee, a Sanitary Sub-Committee and there is a nominal Education Sub-Committee too, but it is entirely nominal.

38522. Does the Public Works Sub-Committee decide as to which roads shall be taken in hand for repair and construction and allot money for the purpose?—Yes.

38523. Do you maintain any gardens in this town?—Yes, we have two big municipal gardens, and we have also a small garden attached to the District Courts.

38524. Are they a big charge on the municipality?—Yes.

38525. (Mr. Hitchens.) Has the municipality anything to do with secondary education?—Yes. They appoint teachers and allot the money, and they have powers of inspection; the full power rests with the Inspector-General of Education whose duties are combined with those in Baluchistan.

38526. Do you pay for the whole of the secondary education in Peshawar, or does the Government give you a grant to help you?—No, it is done out of municipal funds.

38527. And there is nothing received from Government?—No, so far as I know.

38528. Is the Peshawar high school under the Municipal Board?—Yes, it is called a Board School.

38529. Are you satisfied with the system of appointment to the Municipal Committee here?—Yes, perfectly. The circumstances are peculiar and under the circumstances we are quite satisfied.

38530. Is there any difficulty in finding members who are ready to serve on the Committee?—No, there are many who offer themselves, because they think it an honour to serve.

38531. When they get on the Committee, do they work hard, and take an interest in the work, or are they satisfied with being able to call themselves members?—I should say they are mostly members in name only.

38532. Is the Chairman an official?—The Deputy Commissioner is always Chairman; according to the rules under the Municipal Act XX of 1891, the Deputy Commissioner is the President and the Senior Assistant Commissioner is Vice-President.

38533. How often, generally speaking, does a Municipal Committee meet?—Ordinarily once a month.

38534. (Mr. Meyer.) Do you know anything about the other municipalities in the province?—I do; there are only municipalities at headquarters of districts in this province.

38535. In each case is the Deputy Commissioner Chairman?—Yes.

38536. And the Senior Assistant or in his absence Senior Extra-Assistant Commissioner is Vice-Chairman?—Yes.

38537. In the Hazara district are there not four municipalities?—They are rather notified areas.

38538. Would it be possible to have a non-official Vice-President in Peshawar?—I am not in favour of that.

38539. Have you a non-official Secretary occasionally?—No; he is a paid Secretary.

38540. Would you be in favour of having the members of a municipality elected?—No.

38541. Who are the *ex-officio* members of the municipality?—The executive Engineer, the Head of the Educational Department, the Superintendent of Police and the Civil Surgeon.

38542. The idea of the last witness was that there should be *jirgas* for the disposal of civil and criminal cases of a petty character, first of all a village of local *jirgas*, then an *ilaka* with larger jurisdiction and above that a district *jirga*; would that work?—As regards Peshawar I am inclined to think it would not work, because there are too many factions.

38543. Are the people here mostly Pathans?—Yes.

38544. Have they constant feuds amongst each other?—They have.

38545. Is the Court of Wards here the Revenue Commissioner?—Yes, and the Deputy Commissioner carries on the work practically under him.

38546. In that respect, would you leave things as they are?—Yes.

38547. In the Punjab they want the Commissioner to be the Court of Wards?—Yes, but we have no Divisional Commissioners here, and I would leave things as they are.

38548. Might the Deputy Commissioner have some larger powers?—I think the present powers are already enough.

38549. How long is it since you left Amritsar?—I came here in 1883, and I have been here ever since.

38550. (Sir Steyning Edgerley.) Then you have very little experience of the actual working of the Court of Wards in the Punjab?—I have some experience; because I go there very often and my chief concerns are there.

38551. Might the Commissioners of Divisions there be safely constituted Courts of wards?—Yes.

38552. Would that be approved of by the people?—I think they would prefer it.

38553. Were they not formerly Courts of Wards?—It has not been so in my time.

38554. Is the Government at much risk of obloquy or dislike if they fail to clear an estate when once they have taken it over?—I do not think so.

38555. Have you never heard that suggested?—No.

(The witness withdrew.)

NAWAB MUHAMMAD HUSAIN KHAN was called and examined (through an interpreter).

38556. (Chairman.) Where do you live?—In Peshawar.

38557. Are you a member of the municipality?—No, I am appointed by Government as a member of the District Board.

The Local Governments should be given borrowing powers, but only in cases of emergency. Several measures which Local Governments wish to take quickly either remain undone owing to want of funds or are kept pending, and are completed in many years, or lost sight of altogether.

The Local Governments should be given powers for the creation of new appointments and the enhancement of salaries. Sometimes, for instance, when cholera or plague epidemics make their appearance, the officers feel the necessity of strengthening the establishments, as owing to the want of hands the work is not satisfactorily done. If the Local Governments were empowered to create new appointments a lot of trouble will be saved, and at the same time it would not be improper if the salaries of the establishment already employed are enhanced with a view to rewarding their services or encouraging them to do good work.

The influence of the departments of the Government of India as regards this province at present seems to be inclined towards unfair and excessive rigidity, and should be put in right direction by means of leniency and impartial enquiry.

The Imperial Secretariat is not impersonal, and all questions concerning local affairs are decided in the Imperial Secretariat mostly in accordance with the opinions of the Local Governments concerned.

The right of appeal should on no account be curtailed.

The powers now given to Executive Officers appear to be sufficient and need not be extended, as all officers are not expected to be equally just.

The rules relating to the Court of Wards are all based on the principle that everything done should be for the ward's benefit. The rules as they stand at present are sufficient, and none of them is contrary to the main principle.

The influence of the provincial Governments is not inclined towards rigidity, but is beneficial to the people.

Partly from pressure of work, and partly from their own tendency of keeping aloof, the Executive Officers have less opportunities of personal contact with the people. If officers cease to show themselves self-conceited and mix with people with open forehead and cheerfulness, their influence and trust will increase, which will be of great advantage to them.

The officers who are just, good-natured, and good administrators should not, if possible, be transferred for seven years at least.

It is desirable to create Advisory Councils, which can be useful to Government in matters relating to education, commerce, and municipalities.

The District Boards should be invested with powers of supervision over the smaller municipalities. This measure would prove very useful, but its success depends to a great extent on the members of the District Boards.

38558. Are you satisfied with the method of nomination of members of the District Board by Government?—Yes.

38559. How often does the District Board meet?—Three or four meetings are held every year.

38560. Do you attend them all?—I never attend them, because I have too much other work.

38561. Are the people satisfied with the way in which the work is done on the District Board?—They are.

38562. Have Executive Officers too little opportunity of meeting with the people?—When there is necessity they mix with the people.

38563. Not otherwise?—They have too much work and do not mix with them without occasion.

38564. Can they speak the language fairly well?—Yes, they speak Pushtu and Hindustani; the more prevalent language is Hindustani.

38565. In your opinion is there any necessity to write the language as well as speak it?—Those officers

who can speak Pushtu can also write it, because they have passed an examination in it.

38566. In practice is it written much?—The writing of the language is not of much use, but they learn it for their examinations.

38567. How long do you think an officer ought to stay in his district?—A good officer, provided he is kind and just, may remain for seven or eight years, or even for 20 years, the longer the better.

38568. Is the District Board composed of leading representative men?—It is composed of leading men. They are all selected by the Deputy Commissioner.

38569. How many villages are there on your estate?—I am a Border Chief.

38570. Have you no territorial jurisdiction or ownership?—I am one of the Chiefs of the Mahmud tribe.

38571. Have you any special ownership in villages?—I am Head of the Mahmud tribe, and I and my brother do whatever work is necessary with regard to that tribe.

38572. Do the villages get some benefit from the Local Fund Cess?—The villages get some benefit from it—they get help in the way of schools and roads.

38573. (Mr. Dutt.) How long have you been a member of the District Board?—I have been a member of the District Board for 22 years.

38574. Have you not attended any of the meetings at all?—Yes, I attend once a year, and when there is very urgent work I might attend a meeting, but then the Deputy Commissioner sends a special order for my attendance.

38575. What is the income of the Peshawar District Board?—I do not know the total income of the Peshawar District Board, but it is a fairly heavy one.

38576. Are the primary schools supported by the District Board?—The primary Schools are supported by the District Board.

38577. Has the District Board an engineer of its own?—No, the roads are made through the establishment of the District Board. It has overseers but no engineers.

38578. You say it is desirable to create Advisory Councils which would be useful in matters of education, commerce and so on; what kind of men should be selected for these Advisory Councils?—Clever, good and influential people of the district should be selected for an Advisory Council.

38579. Should they be selected by the Deputy Commissioner?—Yes.

38580. Would you wish them to meet monthly?—They should meet as required.

38581. Where does the Mahmud tribe live?—There are different classes of Mahmuds; the Mahmud tribe to which I belong inhabits the tract lying between Fort Barra and Fort Shamshtoo—distance about 20 miles—which is comprised in this district.

38582. When disputes arise amongst members of this tribe are they referred to a *jirga* for decision?—In criminal cases whenever there is judicial proof they are referred to the Sessions Court, but if there is not, then they are tried by the *jirga*.

38583. What happens in civil cases?—Civil cases are never referred to the *jirga*, except cases falling under Section 8 of the Frontier Crimes Regulation, when the Deputy Commissioner has the power to refer to the *jirga*, but that power is very seldom exercised.

38584. When the *jirga* decide cases do their decisions give general satisfaction to the people?—The public concerned are not satisfied with the decisions of the *jirga*.

38585. Do they rather prefer the decisions of the Judicial Courts?—Yes.

38586. (Mr. Hichens.) How many members are there on the Peshawar District Board?—I do not know.

38587. Is the attendance fairly good?—Yes, it is fairly good.

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Husain Khan.*

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38588. What language is used in the proceedings?—Pushu and Hindustani.

38589. In what language are the records kept?—The records are kept in Urdu.

38590. (*Mr. Meyer.*) Might not the District Board be used as an Advisory Council; why create a second body?—It is one and the same thing.

38591. You need not have two different bodies; might not a Deputy Commissioner meet the District Board and talk with them with regard to general questions?—Two distinct bodies are not needed, and

the Deputy Commissioner might meet the District Board and consult them.

38592. Would it be impossible to improve the *jirgas* so that they could inspire more confidence in dealing with civil and criminal cases?—I do not think the *jirgas* can be improved so as to inspire greater confidence.

38593. Why do they not inspire confidence?—Because they are not trusted; there are factions among them, and they take bribes.

(*The witness withdrew.*)

KHAN BAHADUR ABDUL GHAFUR KHAN OF ZAIDA was called and examined.

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Ghafur Khan.*

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38594. (*Chairman.*) You are Divisional and Sessions Judge at Jhelum?—Yes, since about four years. I am a member of the Statutory Civil Service, which was abolished some time in 1892.

Every effort should be made to make Government as popular as possible, by bringing into greater relief the benevolent and beneficent character of the Government. The conferment of titles is very good, but they are more or less empty sounds, and sometimes the recipient of a high-sounding title finds it very difficult to make his position compatible with the dignity and distinction which the exalted nature of the title carries with it, and which is an inseparable element of the title. For instance, the title of *Nawab* or *Raja* has got a very high notion attached to it according to Indian ideas. It is therefore anomalous to confer this title on a man who is not the Chief of his people or a *jagirdar*, and has not the means to maintain the dignity of the title. I therefore propose the creation of life *jagirs*, allowances and assignments, which should be quite distinct from hereditary ones in each district. The amount for such grants would be fixed by the Local Governments, with due regard to economic and other conditions. Recommendations in this respect should be made only in case of persons distinguished for loyalty and meritorious services. The Local Governments should have full powers to make such grants for life. It is the first duty of a foreign Government to make people understand by practical methods that the Government has the power and will of appreciating and rewarding, and is ever ready to reward exceptionally good service and distinguished loyalty. When once people learn that the Government has nothing to give because of the number of appointments being limited and the demand greater, a sort of despondency creeps over them, which eventually culminates in discontent and disloyalty.

The utility of free intercourse between Europeans and Indians, between the District Officer and the people, can never be overestimated. It should be the bounden duty of the Deputy Commissioners and Commissioners, and in fact all European officers, to be sympathetic, affable, and courteous. They should try to understand the people and their wants. They should allow them free access, give them patient hearings, listen to their requests, and profit by their counsel. Every Deputy Commissioner and Commissioner should have a limited fund at his disposal to hold parties, and conversaciones to which leading men of all classes should be invited. This is the only way by which the District Officers would be able to carry on the administrative work to the entire satisfaction of the people and for the good of the Government, and thereby foster a spirit of loyalty which ought never to wither or fade.

I am in favour of augmenting the power and control of the executive, but it is absolutely necessary for the stability of the Empire that the executive should never interfere in, or openly criticise, the decision of the judicial. The independence of the Judges must be maintained to sustain and protect the traditional reputation of British Justice. Discontent is bound to arise in cases when the belief of the people in the independent character of justice is impaired.

I am much averse to the multiplicity of departments and too much interference of petty officials in the liberties of the people. The vagaries of these petty uneducated and corrupt petty officials are the root of all evils. I would like to see intelligent and zealous young men of good family and education appointed

to those posts the holders of which come in direct contact with the people. I would like to raise the pay of posts of trust and honour, and employ more Indians on these posts. Good family position and past services to the Crown should be *sine qua non* for appointments to these posts. Day by day a large number of the members of good families, who rendered good services to Government, and who have a stake in the country, receive high education, and are in every respect fit for being placed in position for trust and responsibility. It is absolutely necessary that there should be a field for advancement to high position for young gentlemen of good families of tried loyalty in Government Service, who will serve as a link between the public and the Government. They being members of the aristocracy of India will endear themselves to the people at large, and will be readily accepted by leaders for guidance. Their official position will enable them to come in free contact with European officials, who will learn from them the real desires and condition of the people, but unless positions of trust and responsibility, as distinct from those occupied by men of middle classes, are especially reserved for members of the aristocracy, their services would not be of very great use. I would therefore advocate the revival of a service on a par with the defunct Statutory Civil Service to which I have the honour to belong. The institution of the Imperial Cadet Corps affords scope for the military talent of the members of the upper classes, but there is no service on the civil establishment which is of equal dignity as that of the Cadet Corps. This is very unfortunate, because it is the Civil Service of India which must govern the people, and the members of which have direct dealings with all classes.

The Government of India, though probably aware of the conditions prevailing in each province under its control, are guided by uniform principles in shaping their policy. This sometimes leads to the introduction of administrative measures which are unsuitable for all provinces, and especially for the Frontier Province. I strongly advocate that the Government of the Frontier Province in matters of administration should have larger powers than they have now compatible with needs and desires of the people ascertained through their selected Chiefs. Complicated laws that cannot be easily understood and followed even by the more advanced communities than the Pathans, should give place to simple, comprehensive and beneficial measures, such as the decision of all controversial matters by the councils of elders composed of men of recognized probity, wide influence and admitted integrity.

I suggest the creation of two *jirgas*, viz. :—

- (1) The lower *jirga*.
- (2) The higher or *shahi jirga*.

Disputes and cases should be referred to these *jirgas* for—

- (a) arbitration,
- (b) investigation, and
- (c) reports and decisions.

The lower *jirga* ought to decide ordinary cases of small value as well as those offences which are not serious. The higher or *shahi jirga* should decide and investigate cases of higher value and serious offences.

I oppose all restrictions to the right of appeal.

Commissioners and Deputy Commissioners should have funds at their disposal, the former Rs. 10,000 and the latter Rs. 5,000 respectively,—to reward the



good services rendered by officials and non-officials in their respective divisions and districts.

The influence of the Commissioner in matters pertaining to departments other than the Land Revenue Department is not sufficiently strong, and adequate weight is not given to his views. The Commissioner, however, should have absolutely no power of interference with or criticism on the work of Judges and Courts in their judicial capacity. In all executive and administrative matters, even those entrusted to officers of other departments, viz., other than the Revenue, Civil and Police Departments, his voice should have very great weight.

Executive Officers owing to their onerous and multifarious duties cannot find sufficient time for coming in personal contact with the people. The Deputy Commissioners should have absolutely no case work, and should only attend to the supervision of the work of officers under their control. They should also allow free access to their subordinates for consultation and guidance in administrative measures. Deputy Commissioners and Commissioners should hold garden parties and other such functions to which representative and influential men of their districts and divisions of all classes should be invited. They should also entertain native gentlemen whenever occasions arise, and freely accept the hospitality of native gentlemen. They should be very often on tour, and invite the people at large to open-air meetings and converse with them freely, and discuss matters of importance with representative men. In this way they could easily glean the inner feelings and grievances of the people. For such parties and conversations adequate sums should be placed at their disposal.

The weakness of our administration, which has reached a dangerous point, is excessive interference with the liberties of the people. There are so many departments in each district, which for the justification of their existence try to create work for them, that it leads to unnecessary official interference in matters which would be best left alone. The work of each department is carried out through petty officials who are often corrupt and unreliable. They are apt to interfere in matters with which no interference is needed. Take the case of a patwari. He is a despot within his circle on whose correct work the revenue system depends. His pay is very small, and he has many opportunities of taking bribes. The entries made by him are supervised and checked by kanungoes, who also are petty officials, and are invariably in league with their subordinates. Within a *tahsil* where there may be from 50 to 100 patwari circles the tahsildar and his naib have many other duties to attend to, and thus the patwari is the sole custodian of the revenue records, the entries of which give rise to extensive litigation and quarrels. Similarly the action of the subordinate Police Officers in many cases gives rise to great discontent and trouble, as does that of the officials of the Canal and Forest Departments, who have direct dealings with the public. The patwari is a necessary element in the machinery of the Revenue Department, and his retention is unavoidable. I would make the post attractive and assign to it a much higher pay, by which men of high qualification and integrity could be induced to accept it.

The Police, Canal and Forest Departments should be subjected entirely to the control of Commissioners and Deputy Commissioners. There should be independent officers of much higher status than those now holding the gazetted appointments in each district in charge of each department. They should have independent control of their respective departments, with powers of making appointments and dismissals, but subject to the supervision of the Deputy Commissioner and Commissioner. This will obviate the necessity of reduction in the area of the districts and other charges.

No officer should be speedily transferred from a place about whom there is no complaint, who is popular with the people, and whose work is well spoken of by his superiors. In privilege leave vacancies the next senior officer actually in the district should be appointed.

I am strongly in favour of the constitution of Administrative Councils to assist Divisional and District Officers in the administration of their respective divisions and districts. These Administrative or Advisory Councils should be separate for the division and the districts comprised in the division. Selected

and distinguished members of the district Advisory Councils may sit in, and become members of, the Divisional Council. The number of members should be fixed by the Local Government. Nominations should be made by the Local Government in case of the Divisional Council and by the Commissioner in case of the District Council. Unimpeachable character, respectability, social status, and vast influence should be the qualifications for nominations.

The internal administration of villages should be left in the hands of the village council constituted by the District Officers after the fashion of village panchayats. In civil disputes they should act as Boards of Conciliation to bring about compromises. In other matters they should help the authorities.

38595. You speak of the conferring of titles; do you think that they are much valued?—Yes, these titles are valued by some people who are rich, but to those people who are not rich they are useless, because they cannot maintain their position and status.

38596. Is it a mistake to confer these titles?—No doubt they are looked upon as a kind of reward, but they should be accompanied in deserving cases by some other mark of favour.

38597. Do you mean with some grant in order to enable the recipients to keep up the dignity and the position conferred upon them?—Yes.

38598. You say that the utility of free intercourse between Europeans and Indians and between the District Officer and the people can never be over-estimated; at the present time is that too restricted?—I am very strongly of that opinion. Indian officials, of course, have free access and are allowed it by the public, and I do not think there are any restrictions in the case of an Indian gentleman who wishes to meet an Indian officer, but with regard to a European officer, apart from his desk work which is enormous, there are also in this country the social functions which have to be considered, and naturally they have not much time to devote to them as they are so much occupied, while Indians, who are trained more amongst the people, naturally come more in contact with them.

38599. We have been told that Indian officials, in many cases, are quite as apt to stand aloof as European officials—what would you say to that?—I think that would be accounted for by the characteristics of the particular individual, but I am taking the case as a whole. The majority of Indian officers must necessarily come into contact with the people, while the majority of European officers might not have the opportunity, or might not have the inclination.

38600. Have you ever noticed amongst Indian officers any such tendency?—I have heard of a case, but I have not seen anything of it myself.

38601. Supposing a European officer wished to be affable and courteous, would he find it easy?—It is quite conceivable and possible, but that depends more again on personal idiosyncrasy.

38602. Is it desired on either side?—It is very much desired, and I am very strongly of opinion that affability and courtesy and gentlemanly qualities in an officer endear him to the people at large, and his kindness is always appreciated, while on the other hand if an officer stands aloof and is not very courteous, the strength of the Government is not maintained, and he does not advance very much in the estimation of the people.

38603. A witness told us to-day that it was much more desirable that an officer should be respected than that he should be liked; would you agree with that view?—I really do not understand what he meant; but if he meant that an officer should be strong and should be of a temperament that the people might fear him and all that, I do not agree; if, on the contrary, the object is that an officer should be respected and at the same time be courteous and polite, I agree. But I think he drew a line which really does not exist, to my mind, between the two things.

38604. You would like to see a certain number of posts in the Public Service reserved to Indian gentlemen of good position and family. Do you think that that would strengthen the Government?—Yes, the reason being that in this country there are only two classes more or less. There are the members of the aristocracy who, though they are at present in a deplorable condition, are yet recognised as leaders of

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society in many respects, and then there are the common classes. The members of the aristocracy are now being educated by degrees; they have acquired knowledge, and there are many deserving young men among them who might fill posts of trust and responsibility with distinction. Mere local position in a province under British rule means very little. A man may be a very rich man and a very influential man but, without any official position, he is not looked upon with any degree of respect, and he would not be regarded as a very useful member of society, because his powers are limited within his own circle. He has no power of doing any good to the people in the official world; he might guide their ideas and aspirations, but he is not of much use to them in matters which they might expect he would be, and that being the case, it is only natural, and desirable, that Indians should have a greater share in the administration of their own country. If that is conceded, then the members of the aristocracy, for whom any branch of the Civil Service may be reserved on account of their social position and previous training and family traditions, will be received by English officers with greater freedom, and on the other hand they would be recognised as guides and leaders of the people in their own community. That would be a link between the two communities, and through that medium good results with regard to the administration of the machinery could be effected.

38605. You would like to see something corresponding in the Civil Service to the Imperial Cadet Corps?—Yes; the Service to which I belong is the Statutory Civil Service, the only distinction being that we get 64 per cent. of the pay of the Covenanted Service.

38606. (Sir Steyning Edgerley.) You suggest that there should be some power of granting rewards; do you mean rewards by Deputy Commissioners?—I mean by all Executive Officers; they have enormous power of punishment in this province especially, but they have absolutely no power of giving rewards for good service.

38607. Is it of political importance that they should have the power of making rewards?—Yes.

38608. You have made some suggestions with regard to social meetings and so on by Deputy Commissioners and Commissioners, and that they should hold parties and so forth to which men of all classes should be invited. Would there be no difficulty with regard to that?—By "all classes" I meant men of standing and position belonging to different communities and different nationalities.

38609. You meant the leaders of society?—Yes, I did not mean that the masses should be invited and that sort of thing.

38610. Even in your own house there would possibly be considerable difficulty with regard to a meeting of all classes?—Yes, but we have open-air meetings where everybody is received.

38611. You suggest that each Deputy Commissioner should have a grant of about Rs. 5,000?—I would suggest Rs. 10,000 per annum.

38612. Have you any idea what that would probably cost?—An enormous figure, but the results would justify it.

38613. If it were done generally throughout India would it not mean at least 15 or 16 lakhs of rupees a year?—Yes, but the result obtained would justify even such a large expenditure.

38614. You speak of raising the pay of the patwari and making his post a more responsible one; what sort of pay does he receive now?—A patwari now gets from Rs. 10 to Rs. 20 a month, and I would raise it to Rs. 50 a month provided that you get the kind of man I have suggested. It is an anomaly that a man on whose correct work the whole revenue system depends should be not much above the status of a mere servant. The whole thing, of course, means expense.

38615. That would cost another very large sum. Would you be prepared to raise the amount by taxation?—Personally, I do not understand the question of taxation one way or the other, because I am not very much in touch with financial matters.

38616. But in order to carry out reforms of this description you would have to raise taxation?—Perhaps the salt tax might be raised; it is a very

small amount and if a man can afford to pay one pice, which he does now, he would not feel it if he had to pay two. Or a shop tax might be imposed.

38617. But when considering a reform intended to benefit the upper classes, is not the objection to that, that the tax falls on the poor?—But they could afford to pay 2 pices.

38618. The last witness told us that he thought the Commissioners in the Punjab might be made Courts of Wards—would you agree with that?—As a matter of fact, it is the Deputy Commissioner who is the Court of Wards, and the Financial Commissioner is the controlling authority.

38619. Would it be a wise measure to delegate the power of the Financial Commissioner to Commissioners of divisions?—I do not think so; the Financial Commissioner's sanction in many cases does not entail any very great hardship or create any delay.

38620. Then you would not be prepared to make any change?—I do not think so.

38621. (Mr. Meyer.) Would you have the Local Government scatter life jagars and allowances and assignments freely?—The Local Government ought to have the power of selection.

38622. Are you prepared to face the expense? Would there not be far more candidates for the grants than there would be grants to give?—Competition perhaps would be desirable.

38623. Would you not excite more hatred on the part of the people whom you disappointed, than gratitude from the people to whom you would give these advantages?—I think that enthusiasm on their part would be more permanent, but that argument might be applied with reference to any reward.

38624. With regard to the Statutory Civil Service which you desire to see revived, the selections made were not altogether fortunate, in some provinces?—That is, of course, a question of selection, but the time chosen for the inauguration of the Statutory Service was too early, and there was not the right material at hand at that time, whereas now there are any number of men who are fitted for the service, and if you have a certain number of appointments open to men of good birth and education, they would be filled. The Provincial Service is a subordinate Service and the position of an Extra-Assistant Commissioner is only just a little above that of an ordinary tahsildar. As these appointments are open to anybody, I would like to see a special reserve *cadre* for men of really good family and education, and at the same time of good standing. So far as "listed" appointments are concerned, I understand with reference to the Frontier Province that there are none in the province, and no such posts are open to them. In the Punjab there are nine appointments theoretically reserved, but the conditions are such that when the Statutory Civil Servants hold these appointments, no Provincial Civil Servant is selected for them, the natural result being that men do not attain any position or high post until they arrive at the *fat* end of their service.

38625. You think that it is better to revive the Statutory Civil Service?—Exactly, because I should like to see new blood infused into the Service and the revival of the Statutory Civil Service is necessary from another point of view. I would like to see young men of good family kept in the country, and not sent to England where there are so many opportunities of their coming into contact with an undesirable class of people. Now-a-days examinations are made so stiff that a young man has to go to England at an early age, and if he qualifies for the Civil Service, it is no doubt an advantage to him personally, but then on the other hand he becomes of no use to his country. Another danger is the political danger. When such a man comes back he is probably not received into English society here in the same way as he has been in England, so that it makes him discontented and a feeling of discontent is not a good thing. Upon these grounds, therefore, I strongly advocate a revival of a service which may be considered by everyone to be a distinct service, and into which one could get men of families which are very distinguished.

38626. But are there not a certain number of men of good family in the Provincial Service?—There are, because there is no other alternative for them.

38627. If you had a Statutory Civil Service, would not the number of appointments be very limited?—Yes; it was two a year in the Punjab.

38628. And you would still have your lower aristocracy trying for the Provincial Service?—The number of appointments made every year to the Indian Civil Service is not more than four or five in the Punjab, but according to the old rule—the Statutory Civil Service rule—the number was one-fifth to every Covenanted Civilian, so that supposing there are 150 Civilians in the Punjab, and every year appointments were made to the Statutory Service, you would have in the Punjab between 20 and 30 officers, and they would certainly have exercised a great influence in the country for the good of the administration.

38629. In the Punjab, is there not a system of fluctuating assessment?—Yes, in certain districts only.

38630. That is to say, the assessments are levied on the amount and character of the crop?—Yes.

38631. The amount levied is less if there is a bad crop than if there is a good one?—Yes.

38632. Is not the danger of corruption on the part of the patwari very considerably increased by that system?—Yes. I know of one instance where we had one whole *tahsil* under the fluctuating system, and I tried to get two naib-tahsildars, instead of one, to assess the land, and it was with great difficulty that I got them.

38633. With regard to the grants which you wish Commissioners and Deputy-Commissioners to distribute, are they to be lump sums?—Yes, something like contingent expenses every year—a special item might be allotted as contingent expenses for that purpose.

38634. Would you give the money to individuals, or would you allow the money to be given to a village and say, "Here is some money—build a mosque or make a well," or something of that sort?—I do not know as a matter of fact if it would be feasible to reward a united service—a service rendered by a whole community, or village—such money would be used more appropriately for rewarding individual services.

38635. (*Mr. Hichens.*) A witness told us to-day that he thought a Deputy Commissioner should not serve longer than four or five years in a district on the ground that if he stayed longer he might become impregnated with the factious spirit which appears to obtain in this province—do you agree with that?—No. I have not noticed any factious spirit on the part of any European officer in this province.

38636. The witness said that they might get to know so much about a district that they might insensibly take sides with one faction or the other?—I do not think so; my impression is that if a Deputy Commissioner was kept longer in a district he would be more useful. It is a difficult position for any man to hold, and the difficulty is that on the one hand he is required to turn out such a large amount of desk work, he also has to decide revenue suits and to act as a District Magistrate, in which capacity he not only supervises the work of his subordinates, but he is, time after time, required to deal with criminal and revenue work himself. He is also bound to submit and verify so many reports every day. Thus a large amount of work is thrown on the shoulders of a single man, with the result that the work is scamped through sometimes, and sometimes it is left to subordinates who carry it out with the sanction of the Deputy Commissioner's signature, which, of course, makes that Deputy Commissioner assume responsibility for work which he has never done. He cannot possibly under any circumstances be impregnated or affected by any kind of party spirit in the way suggested.

38637. Given a good sympathetic officer, would you say that the longer he stayed in a district the better?—Certainly.

38638. Are the transfers of European officers more frequent than the transfers of Indian officers?—I think so.

38639. What would you attribute that to?—It is due to the creation of appointments; there are appointments specially reserved for European officers and they are shifted about from place to place.

38640. Do Indian officials stay a considerable time in their stations?—I have never seen any European

officer kept over five or six years, but in the majority of cases the members of the Provincial Service stay longer.

38641. Are the richer and more influential people in this province ready to act on the District Board and municipalities?—I do not know much about municipalities, but so far as the District Board is concerned, I believe everybody of any standing in this district is a member.

38642. Do they accept that responsibility from the point of view of the honour it brings or from a desire to do some good public work?—I think the majority of them only accept the position because it implies some sort of honour and respectability as distinguished from the common people.

38643. Do the people of that class attend the meetings at all regularly?—I do not think everybody attends except once a year.

38644. Is sufficient trouble taken to interest them in their work?—I think not.

38645. Would the way to remedy that be by giving them some definite responsibility?—Yes.

38646. Is it practical politics to do that in this province to day?—Yes, I think it is a very simple matter; their duties have nothing to do with the ordinary affairs of state and no political matters are involved; it is a case of dealing with the internal administration, and I am an advocate of decentralization from the lower end.

38647. What would you do with reference to giving them larger responsibility?—A circle might be allotted to each District Board member, and he should make himself responsible for the up-keep of the roads in it and transact all other business pertaining to it which come under the Board. A responsible officer should go round and see how the duties were being carried out.

38648. Would you suggest that there should be a non-official Chairman of the Board?—Certainly.

38649. Would that be desirable?—In the Frontier Province I am not quite certain that such a position could be given; I do not think there is any gentleman here who would be able to fill the post. We have to educate the people by degrees and when they are educated for those particular tasks, then, of course, a non-official Chairman might be found.

38650. Would the way of developing a spirit of local self-government be for the District Officer to try and interest people in regard to small works of public importance, which in time might lead up to something else?—Yes, I want them to be educated first.

38651. At the present moment it is not desirable to go beyond giving them small responsibilities?—Yes, within a limited circle.

38652. If they were approached in the right spirit would the influential men in a district be prepared to co-operate with you?—I think so.

38653. (*Mr. Dutt.*) You have proposed the creation of two new kinds of *jirgas*, a lower *jirga* and *shahi jirga*; do you propose to increase the number of the existing *jirgas*, or do you propose the creation of a new kind of institution?—I am proposing the creation of a new kind of institution; there is at present no nomination for a *jirga*, and there is no such thing as a recognized membership of a *jirga*. Each case has to come before a Deputy Commissioner, or an officer who has the power of a District Magistrate who decides whether it is fit to be referred to a *jirga*, and only those cases are referred where judicial proof is wanting and where judicial conviction cannot be secured. Then a *jirga* is selected haphazard.

38654. What would be your proposal exactly?—There are two sets of *darbaris* in this province, one called the provincial *darbari* and the other composed of people who have a right to be admitted to the divisional *darbar*. We can easily draw up a scheme by which the gentlemen who are on the provincial *darbar* should constitute the *shahi jirga* (something on a par with the system which now exists in Baluchistan), and the members of the divisional *darbar* should constitute the lower *jirga*.

38655. So that you would have a standing larger *jirga* and a standing smaller *jirga*, and when cases arose you would refer them to the particular members selected for the occasion?—No, what I should prefer

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is that they should sit all at the same time within a district so that there could be no possibility of favouritism or malpractices on their part. They should be under the supervision of the Deputy Commissioner.

38656. But are not the numbers of a *darbar* very large?—No, in this province they are not larger than 30 on the provincial *darbar* list.

38657. And you think that they should sit together in all cases of importance which may be referred to him?—Quite so.

38658. And that a smaller Council should be formed for the trial and disposal of less important cases?—Exactly.

38659. Do you propose also that both civil and criminal cases should be referred to *jirgas* for disposal?—Yes.

38660. Would that not largely decrease the work in our Courts?—No. I would but make a distinction so far as civil cases are concerned; I would not refer any complicated cases to them involving points of law, but only questions of fact.

38661. Should that reference be made in civil cases by the District Judge and in criminal cases by the Deputy Commissioner?—All cases whether of a civil or criminal nature are referred to a Council of elders by the Deputy Commissioner, and therefore I would make him the only channel for referring these cases.

38662. You say that the influence of the Commissioner is not sufficiently strong now—is it your idea that the Commissioner should be consulted in all important matters in all departments within the limits of his division?—Yes.

38663. Elsewhere you say that the Canal and Forest Departments should be subject entirely to the control of the Commissioner and Deputy Commissioner?—I am talking, of course, only from the administrative point of view, and not from the point of view of technical matters.

38664. So far as the distribution of water is concerned, should the Irrigation Officer be under the orders of the District Officer?—Yes, to a certain extent, but a Deputy Commissioner would very seldom interfere in a case of that kind, because it is a question of technical knowledge.

38665. But supposing the people came to the Deputy Commissioner and complained that they were not getting sufficient water, would you empower the Deputy Commissioner to pass an order on the Canal Engineer to give water to certain fields?—I think so, provided there is a safeguard and he had satisfied himself, as a matter of fact, that the Canal Officers were not treating the people properly.

38666. Is there a forest officer in your district?—No. There are forest areas which are called reserved forests, and for each specified area there is an officer who is called a divisional officer.

38667. Do you propose that these divisional forest officers should, so far as their general work is concerned, be under the orders or control of the Divisional Commissioner?—Yes.

38668. And that any orders or wishes expressed by the Commissioner should be complied with by the forest officer?—Yes.

38669. The reserved forests are under the control of the forest officers, but what is the practice with regard to protected forests?—The protected forests are also under the control of the forest officer, but the Deputy Commissioner has larger powers with regard to them.

38670. Have you, as Deputy Commissioner, had any experience as to the management of these forests?—Yes.

38671. So far as protected forests are concerned, might their management be transferred to the Revenue Department?—Yes, I think so.

38672. Are they not mostly grazing fields?—Yes.

38673. And the Deputy Commissioner, with such technical help as may be necessary, would be able to manage these protected forests as distinguished from the reserved forests?—Yes.

38674. Are there many factions in every village in this province?—There are factions, but they did not always exist in the same way as they exist now.

38675. But taking things as they are now, would there not be some difficulty in creating village panchayats in the face of the existing factions?—People, of course, would complain in the beginning, but they might complain as to any measure which was introduced, and if they thought by complaining to the authorities a measure which they did not like would be dropped, they would do so. Any measure considered to be good ought to be tried sympathetically, and an attempt made to see whether any good results could be obtained.

38676. Where there were different tribes in the same village would you select the headmen of the different tribes to form a panchayat?—Yes; headmen might be constituted into village panchayats, and, by degrees, others might be associated with them.

38677. Might simple and ordinary matters be left to them to deal with?—Yes; I would leave matters involving Rs. 50 or Rs. 100, as to which lengthy litigation is undesirable, to them.

38678. When you speak of Administrative or Advisory Councils, is it your idea that a Council should simply give advice to a District Officer or that they should help the District Officer in administrative matters?—They should be simply advisory bodies for the purpose of giving advice in times of emergency, because at times it is quite conceivable that Executive Officers might not really understand the inner feelings of the people on some particular question, and when those inner feelings have been ascertained by duly qualified men, their advice would be of great help to the District Officer.

38679. Might not an ordinary *darbar* be made into an Advisory Council, or would it be necessary to form a separate Council?—I think Advisory Boards must not be composed of the divisional *darbaris*; I am talking about the nobility. The men who are divisional *darbaris*, according to my experience, are not composed of the very highly placed members of society, and they are not intelligent enough to be of much help. Therefore I should like the Advisory Council or Board to be a distinct body, and it should be recognised as a distinct honour to belong to it. The members of it should be really useful men in case of any emergency.

38680. (Sir Frederic Lely.) You speak of the petty officials as being the root of all evil; would you say that they are one of the chief weaknesses in the present administration?—Yes.

38681. Is there any way of improving them which you could recommend except by increasing their pay?—Yes; the work of these petty officials requires very thorough supervision, and it is in that connection that the only improvement, if the present régime is allowed to remain, can be obtained.

38682. How would you secure greater supervision over their work?—I would have officers to supervise the work by going on the spot whenever there was occasion, and I would allow them also to consult the people with reference to any grievances or complaints they might have to make.

38683. Are not all the grievances and complaints of the people listened to even now?—I do not think they are.

38684. Do you mean to say that if a man has a complaint against a patwari and states it in a proper manner, it is not attended to?—It may be that it is listened to, but it gives rise to constant applications and lengthy litigation, and a man might not be able to go on with that sort of thing. Of course, the machinery of the law exists for dealing with complaints.

38685. I am speaking of the case of a petition to the Deputy Commissioner?—An ordinary petition, unless supported by actual facts and evidence, would not be listened to. Petitions are sometimes sent to the Revenue Officer, who sends them to the tahsildar, who makes enquiry, but meanwhile time has elapsed, and the whole matter is probably settled.

38686. Then what you say with regard to the treatment of complaints as to misconduct is, that they are not thoroughly taken up?—I think they are not.

38687. But you do not suggest that a larger number of supervising officers is necessary?—Yes, I think so.

38688. Should the number of Sub-Divisional Officers be increased?—There should be a larger number of Gazetted Officers, if the present system is left unchanged.

38689. Would you give patwaris and such like men any connection with the village panchayat?—The village panchayat might be utilised in supervising their work and in looking after them.

38690. Would you attach the patwari in any way to the panchayat as clerk or in any other capacity, or would you keep the village panchayat absolutely isolated from Government officers?—The patwari's duties are quite distinct from work of a civil nature; the patwari has only to make entries in certain records with reference to questions of possession and owner-

ship of land, and that sort of thing. My idea was that only small petty matters of a civil nature should be referred to panchayats.

38691. Would you keep the patwari entirely distinct and apart from the panchayat, or would you employ him as their clerk?—The patwari, as a rule, has already so many duties to perform that he could not possibly help the panchayat in such a way.

38692. Would that be your only reason for not so employing him?—Yes, and I would rather a patwari did not come into contact with the panchayats, so that in regard to deciding any particular case he might not influence them.

(The witness withdrew.)

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Colonel J. E. DICKIE was called and examined.

38693. (Chairman.) You are Secretary of the Public Works Department?—Yes, since about four years.

With reference to the Public Works Department of this province, the powers of the Local Government to sanction "works" might be raised from Rs. 20,000 to at least Rs. 25,000, as the Officer Commanding Royal Engineers can sanction estimates for Military Works up to the latter figure.

On the whole the tendency of Government is in the direction of rigidity and uniformity, but it is difficult to particularise. As far as the Public Works are concerned, the following are some examples where more power might be delegated to local authorities:—

- (i) *Sale or dismantlement of Imperial Civil buildings.*—Under paragraph 1907, Public Works Department Code, if the cost of a permanent civil building is over Rs. 1,000, the Local Government cannot sanction its sale or dismantlement. This limit of Rs. 1,000 might be dispensed with.
- (ii) *Reduction of rents of Government buildings.*—Government of India sanction is required to reduce the rent of any Government building below the amount which should be charged under paragraph 1068, Public Works Department Code. Local Governments might be authorized to sanction the reduction of, or exemption from, rent.
- (iii) *Purchase or construction of residences.*—Under paragraph 1063, Chapter IV, Public Works Department Code, Local Governments can sanction the purchase or construction of residences up to Rs. 10,000 only. This limit might well be omitted, and power given up to the Local Government limit of sanction for ordinary works.
- (iv) *Class A Works.*—Local Governments cannot re-appropriate funds from the grant for Class A Works without Government of India sanction. This restriction might be removed.
- (v) *Grants for English stores.*—Local Governments cannot transfer funds from the English to the Indian grant (*vide* paragraph 2107, Public Works Department Code, Volume II), although money can be given from the Indian to the English grant. The restriction might be removed.
- (vi) No exemption on account of charges for establishment and tools and plant can be made by Local Governments when one fund or one branch of the department carries out work for another department. Power might be given to Local Governments to remit the charges for establishment and tools and plant.
- (vii) Under paragraph 510, Public Works Department Code, Local Governments can sanction the write off of irrecoverable personal advances up to a limit of Rs. 1,000, in each case a report being made to the Government of India. This report might be dispensed with.
- (viii) *Lapses.*—I should like to see balances of allotment at the end of year carried on instead of lapsing. They could, if necessary, be separately accounted for or reported on.

The different provinces resemble each other as little as one European country resembles another. Measures of reform or improvement suitable to one might be quite out of place in the case of its neighbour. Interchange of views between different Administrations would, doubtless, be beneficial, but the Head of each Government should be allowed latitude in adopting salutary reforms and in developing his charge on his own lines.

As regards appeals of all kinds, I consider these should be most restricted and only allowed in very exceptional cases after a British official has once given his decision. Generally speaking, appeals have a demoralizing effect in that they encourage litigation and weaken authority. One appeal should be the limit.

Most of the returns called for in the Public Works Department are necessary, but the forecast for stores from England might, for example, be dropped, as it is impossible to do more than make a guess in August of what will be required the following year.

When travelling about and meeting zamindars and *maliks*, I hear constantly of unwarranted exactions by minor officials. Possibly, if increased powers were given and fewer reports, returns, &c., exacted from Executive British Officers, the latter might be in a better position to check abuses.

The influence in question appears to be in the direction of too much rigidity and uniformity. There is a want of elasticity in that the country is too much regulation-ridden. Rules have been drawn up with the view to meeting all possible contingencies instead of for guidance in considering cases on their merits.

So far as my observation goes, I think Executive Officers are too much tied to their desks. It is a matter of common knowledge that minor officials are venal to a degree. The only remedy is to take away desk work so far as possible and give Executive Officers greater opportunity for personal contact, but what would further improve matters would be to augment the numbers of the British officials. Plurality of regulations also is not for real efficiency.

Generally speaking, the desirability of reducing district and other charges depends on circumstances. The "partition of Bengal" was advocated in "Indian Polity" as far back as 1873, if not before. To give a local instance, the Peshawar district has now become too heavy a charge for one Deputy Commissioner.

Transfers of officers are generally considered to be too frequent. This has been recognized in the Army Department and the remedy applied.

38694. When you have to get sanction for estimates for contracts and so forth, do you correspond through the Local Government with the Public Works Department?—Certain estimates, of course, are contained in the budget, and with regard to those which are not contained in the budget one either has to take the sanction of the Government of India in the Public Works Department or the Local Government.

38695. What are your powers with regard to sanctioning estimates?—As Secretary, I can sanction up to Rs. 20,000.

38696. Have you any productive works here?—None.

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38697. Have you any protective works?—Yes, in a way.

38698. In the case of imperial protective works, what is your power of sanctioning estimates?—I can sanction up to Rs. 20,000.

38699. And with regard to contracts?—That is the same.

38700. What are your powers of sanctioning estimates for provincial works?—There are no separate provincial works as distinct from imperial works here—everything is imperial.

38701. And your powers, whatever they are, are the same?—Yes.

38702. With regard to minor works, have you any powers of sanction?—With regard to minor works, the Officer Commanding Royal Engineer and Garrison Engineer are allotted a certain amount of money, and can sanction according to their powers.

38703. Have you no greater powers than they have?—Yes; Commanding Royal Engineers can sanction up to Rs. 2,500 for single minor works, and my powers with regard to minor works are no greater. I do not interfere with regard to minor works at all.

38704. You state that under paragraph 510 of the Public Works Code, Local Governments can sanction the writing off of irrecoverable personal advances up to a limit of Rs. 1,000. Ought that sanction to be extended?—Yes, I think so. I do not quite know what limit, but if it were extended I think it might save many references.

38705. Cannot you give a limit?—I am not prepared to say—perhaps the amount might be doubled.

38706. Have you a certain number of Provincial and Subordinate officers under you or is yours entirely a Military Service?—The whole of the establishment is under Military Works.

38707. Have you no Provincial Service?—None.

38708. (Mr. Hichens.) You suggest you might have further powers as to the purchase or construction of residences for Government servants?—Yes, that only goes up to Rs. 10,000.

38709. What power would you be prepared to give to the Local Government in regard to cases of that sort?—Take, for instance, the construction of a circuit house which may cost Rs. 25,000 or more. Without the special sanction of the Government of India the Local Government might go to that limit.

38710. Would you be prepared to lay down certain general principles and then rely on the Local Government to interpret them?—I am not prepared to say whether that would be altogether wise; it depends a great deal, of course, upon individuals.

38711. What inconvenience would result supposing the decision of such matters was left entirely to the discretion of the Local Government?—I do not think there would be any.

38712. Then is there any objection to giving them full power?—None that I can see; if an officer who is to be given full power is fit for the position he ought to have it, and if he is not fit for the position, then he ought to go.

38713. You refer to an excess of rigidity and uniformity, and you say that rules have been drawn up with a view to meeting all possible contingencies instead of for guidance in considering cases on their merits; have you any specific instances in your mind?—Yes; I was thinking, for instance, of cases where dangerous work is being carried out and where, as sometimes happens, accidents occur and workmen get killed. In such cases their people might want money to bury them and perhaps for other purposes, but one cannot do anything without going to the Government of India. I saw a case in the "Pioneer" the other day as to a dak runner, which indicates exactly the sort of thing I mean. In such cases a District Officer has no power to make any grant, and has to pay money which is required from his own pocket, risking whether he will get it back again.

38714. In a case of that sort, ought the District Officer to have a small fund from which he could make grants of that kind?—Yes; practically, when engaged on a big engineering work, one can generally manage

to spend a little in various ways. Of course it is irregular, but it is quite advisable and quite right that one should be allowed such a fund.

38715. I thought you meant that there were a number of finicking rules which harassed you?—So there are.

38716. Can you give any instance as to that?—No, I am sorry to say I cannot.

38717. Are there a large number of such rules?—Yes; there are many things, the settlement of which might be left to the local officers.

38718. Is too little left to the discretion of the officer and possibly is he rather too much nursed?—Yes, he is a little bottle-fed, I think.

38719. You say that the transfers of officers are generally considered to be too frequent, and that that had been recognised in the Army Department and the remedy applied. What was the remedy applied in that case?—The remedy applied has been that when one post is vacant, they have not to move a dozen officers all round to arrange for everybody getting his proper step. There is no "general post" of that kind. As far as possible they arrange matters within the divisions, and in the case of Staff Officers, if for instance in the first division a senior Assistant Adjutant-General goes on leave, they do not bring another man from another division.

38720. Could that rule be applied with regard to civil appointments?—I think so; there is perhaps a little more "general post" than is quite necessary.

38721. Is it desirable that a man should not stay longer than four or five years in one district?—Yes, I think as a rule that is quite long enough.

38722. (Mr. Dutt.) Are District Board works in this province executed by servants of the District Board—supervisors and overseers—or are they executed by your subordinates?—District Boards have their own district overseers who generally do the work, but there was a case the other day when a District Board wanted to build a hospital and do the work themselves, because we could not build it at the rates. They asked us to estimate for it, and asked if we would build it, and we should have been very glad to do so, but we could not do it for the money.

38723. Do they sometimes undertake large roads costing many thousands of rupees, and have their own qualified engineers to carry out such work. They do not undertake any large works in the way of communication.

38724. Are most of the main roads in this province maintained from the provincial funds?—From imperial civil funds.

38725. Have you any supervision over the work of District Boards?—No; if one is asked to do so, one of course gives advice and help.

38726. If your department did any work for a District Board would it charge them a percentage on the cost of the work done?—I rather think that one ought to charge a percentage according to the regulations. For instance, this very building we are now in was built nominally by the District Board, but practically our officers supervised the whole of the work without any charge. I think it was not quite right, but still there was comparatively little money available, and it is possible that the military works estimates ought to have been credited with something for the cost of supervision.

38727. (Sir Steyning Egerley.) Is there not some prohibition in this province with regard to the powers of the Local Government as to metalling roads?—There is nothing special; no imperial road can be metalled without the sanction of the Government of India, but there are no special rules having reference to this province.

38728. Does that mean that all your roads here are imperial roads?—Yes.

38729. And therefore the Chief Commissioner cannot have any road metalled without going to the Government of India?—Yes.

38730. Suppose a road is wearing out over a bridge; cannot the Chief Commissioner order that it should be metalled and repaired?—Yes, certainly.



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38731. Then you can repair little bits of roads?—Yes, they would be considered parts of the bridge.

38732. But between the bridges you cannot metal?—No.

38733. How far do your powers extend in the Military Department?—To Rs. 25,000.

38734. And in the Civil Department they only extend to Rs. 20,000?—Yes; that sum might be raised to Rs. 25,000.

38735. Is there any correspondence with regard to raising your powers in the Military Department?—No, I think not.

38736. You say that the forecast for stores might be done away with: am I right in understanding that in August of one year you have to try and guess what stores you are going to buy during the year beginning in the following April?—Yes, and one has to make a rough forecast.

38737. Which, I suppose, is practically useless?—I do not think it is of much use.

38738. What is done with it and why is it required? I could not tell you; it must be for some financial reason.

38739. But as far as you know it is quite the reverse of trustworthy?—I do not think it is at all trustworthy, and it rather commits one to ask for things which might not be wanted. Of course, that touches upon the other question as to the purchase of stores.

38740. (*Mr. Meyer.*) With regard to metalled roads, is it only when it is decided or desired to make a new metalled road at the expense of imperial funds that reference has to go to the Government of India?—That is all.

38741. You would not have to refer to the Government of India with regard to the repairing of a road already on the list, because the metalling had got out of order?—No.

38742. If a Local Government had absolutely full power to build houses for its officers and so on, might it not mean a considerable addition to their salary?—That would depend on the Local Government.

38743. Are not the rents which are charged under the Public Works Code meant to be commercial rents?—Yes.

38744. A percentage on capital, *plus* maintenance charges?—Yes, but it is not so much in the case of officials of the Local Government. For instance, Kobat is very much congested at present, and it would cost about Rs. 4,000 to build a house there for the head clerk to the Deputy Commissioner, and the rent assessed for that bungalow would be Rs. 18 or Rs. 20, whereas a tenth of his salary would be under Rs. 16, and as he is a European official it would seem desirable in a case of that sort that the Local Government might be able to lower the rent to what he could afford to pay.

38745. It is not so much a case of lowering the rent, because that is fixed by rule at 10 per cent. of the salary, as the building of a house the cost of which is larger than the rent would cover?—Yes, and that is the case frequently.

38746. You speak of the Local Government not being able to re-appropriate funds from the grant for Class A works without the sanction of the Government of India. What does that mean?—Class A works are works which are entered in the budget of first importance. It may be that late in the year one has more money than one can spend under Class A

works, and one cannot transfer it to some other work without the sanction of the Government of India.

38747. Is that not peculiar to this province, and due to the fact that there is no provincial settlement and the money is imperial; you are not speaking of the Local Governments generally?—No. Not peculiar to this province.

38748. In the same way, in regard to charges for establishment and so on, you are only speaking of this province?—Just so.

38749. As a matter of fact, you have never served in any other province in this capacity?—No.

38750. With regard to the question of irrecoverable balances, may not amounts which are irrecoverable, have become so by the negligence of some officer?—That is quite possible.

38751. And if you gave an officer larger powers with regard to remitting or wiping off amounts on the ground that they have become irrecoverable, might you not have some men writing them off in order to cover their own laches?—A case of that sort is not likely with the officer one knows, at any rate; I do not say it is impossible, but it is unlikely.

38752. But have they not to work very largely through their subordinates?—Yes, that is so.

38753. Are your military works carried out under the Public Works Code?—Yes, and also under the regulations for the army.

38754. Are you freer with regard to military matters than you are with regard to civil matters?—No, I do not think so.

38755. You cannot go about giving money to widows and build houses as you like on the military side?—No, there is no occasion for it.

38756. You have your rules with regard to house building and so forth?—Yes.

38757. Do you consider that the provisions of the Public Works Code are too rigid generally?—I think so, a little.

38758. Are the returns which are called for generally necessary?—I think they are very fair and are mostly all required.

38759. You say that regulations should be framed more for guidance than for rigid adherence; is it not possible that a rule might disappear under the exercise of a dispensing power on the part of the Local Government?—It is possible.

38760. There again it is not a principle which you apply in the Army: there you rather require strict obedience to stern rules?—Obedience to direct orders is required undoubtedly, but orders must be intelligently carried out, and there may be occasions when orders may be disobeyed absolutely.

38761. Do you mean that you would disobey the letter and conform to the spirit?—Yes, exactly so.

38762. You say that you have heard in the course of your tours of unwarranted exactions by minor officials; does that include your own department or do you refer to the Revenue Department?—I include all.

38763. Are they all equally bad if not controlled?—They all want controlling undoubtedly.

38764. They are not sufficiently controlled owing to the want of a superior staff—is that your idea?—It would be better if the staff was somewhat stronger.

(*The witness withdrew.*)

Adjourned.

## SIXTY-SECOND DAY.

PESHAWAR, *Saturday, 28th March, 1908.*

PRESENT :

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

Sir FREDERIC LELY, K.C.I.E., C.S.I.  
 Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.  
 R. C. DUTT, Esq., C.I.E.

W. S. MEYER, Esq., C.I.E., I.C.S.  
 W. L. HICHENS, Esq.

Major C. B. RAWLINSON was called and examined.

*Major C. B. Rawlinson.*  
 28 Mar., 1908. 38765. (*Chairman.*) You are Deputy Commissioner of Peshawar?—Yes, since January, 1903.

I do not consider that any extended powers in revenue matters could be granted to Deputy Commissioners (or Sub-Divisional Officers) as a body, and it would be impossible in practice to grant different powers to different officers or to officers of various lengths of service. The powers are ample in the cases of junior Deputy Commissioners, and in some matters more than ample in the case of an officer appointed for the first time as a Deputy Commissioner. The only extension of administrative powers required is less interference with Deputy Commissioners' executive orders by superior officers. I am not exaggerating when I say that there is no order of a Deputy Commissioner which cannot be carried in the form of an appeal or an application for revision, or merely of a petition, to a superior officer by the person aggrieved. I would curtail the right of appeal by requiring a certificate as to the inadmissibility of the appeal from the authority whose order was appealed against.

Larger powers of reappropriation might perhaps be given to Deputy Commissioners.

Secretariats view most matters from a purely departmental standpoint, being, as a rule, out of touch with local officers, the people, local conditions and executive experience.

The existing system of officering Secretariats is pernicious in more ways than one. Officers remain Secretariat Officers for too long periods; they are not as a rule selected on account of practical experience with the very matters which they mainly have to deal with, but for their powers of literary expression or some such reason; there is a tendency towards "once in the Secretariat, always a Secretariat Officer;" and Secretariat Officers are frequently junior to the majority of the executive, burden-bearing officers, whose work they are called upon to deal with in what necessarily becomes a political or controlling manner.

Provincial Governments are dominated by considerations of revenue to an excessive extent. Our revenue system is too inelastic in itself, but provincial Governments make little effort in the direction of greater elasticity. This can be instanced almost daily in matters of income-tax, arrears of revenue, suspensions of revenue, leases, court-fees in pauper cases, lapsed *muafis*, etc.

Executive Officers (*i.e.*, Deputy Commissioners) are so overburdened with work, which increases yearly with the giants' strides taken in almost every department and line—*e.g.*, excise, veterinary and agricultural development, audit, education, arboriculture, as well as with the general advance towards perfection, to a large degree theoretical and paper, *e.g.*, trade, registration, excise matters (the result of the Excise Commission), *takavi*, sanitation, education, local self-government, archaeology, new Bills and Acts, with the production of reports (annual) of the past year's administration in each line, upon the literary excellence of which superior officers are apt to form opinions as to the compiler's executive-administrative abilities, and with an unwieldy and over-powering mass of English office correspondence—that it is with the greatest difficulty—at any rate in Peshawar—that the Deputy Commissioner can tour at all or receive one-half of the native gentlemen, and others who desire personal interviews. His personal contact with the people may be said to be confined to some small contact with the officials, the leading Native gentlemen, and the criminal

classes. Assistant Commissioners have ample opportunity for personal contact with the people, but the people fail to appreciate this fact—and not unnaturally—for Assistant Commissioners are only birds of passage as a rule, and it is the Deputy Commissioner of the district to whom the people look and cling.

With the existing elaborate machinery of Government in India, I cannot suggest how to remove the obstacles except by a reduction of the areas of district charges.

The staff of this province requires augmentation. Sub-divisions are frequently without Assistant Commissioners. The smaller districts are frequently without Assistant Commissioner at headquarters. Border military police forces are undermanned. Police European Gazetted Officers are insufficient.

The Peshawar District is too large a charge for one Deputy Commissioner. The proposal to convert part of it into a separate district is now approaching completion.

I do believe that any grant of powers will lead to appointments by selection in place of by seniority. The tendency is always towards seniority to the exclusion of all else. Appointment by selection could only go with a system of regulating salary by mere length of service, which is not desirable.

Transfers are regrettably frequent. I cannot say if they are "unnecessarily" so. An improvement would be effected by an increase in the administrative staff.

I would grant no larger power to municipalities or District Boards. In this province, at any rate, greater efficiency would be secured by District Board members in District Board administration, which is only natural amongst a people with no traditions of public life and with little but ignorance and suspicion of unknown individuals, and with either blind hatred or blind affection for their relatives, acquaintances, and neighbours. Pathan temperament is hopeless soil for local self-management.

In the case of municipalities, too, there is little true public interest in municipal affairs by municipal members. Formerly membership carried with it a certain amount of prestige and dignity as well as opportunity for peculation. Now it merely means a considerable amount of distasteful work.

No Advisory Councils would be of any use in Peshawar at any rate. Executive Officers, who know their charges, know whom to consult, and when. The factious spirit of Pathan Communities renders such Councils impossible.

38766. Were you appointed Deputy Commissioner by the Foreign Department?—I am not quite sure—I suppose I was appointed by the Chief Commissioner.

38767. Had you served previously in this province?—The province was created when I was at home on furlough, but I had been before in what is now the province since 1890 when it was part of the Punjab.

38768. What is the size of your district in square miles?—I have not a notion.

38769. What is its population?—I do not know.

38770. How many subordinates are there in your district? Have you an Assistant Commissioner?—I have an additional District Magistrate as my first Assistant; I have a City Magistrate; I have an Assistant Commissioner in charge of the Naoshera sub-division; I have an Assistant Commissioner in charge of the Charsadda sub-division, and an Assistant

Commissioner as Commandant of Police. I have also an Extra-Assistant Commissioner as Treasury Officer. I have also an Extra-Assistant Commissioner as a Revenue Assistant and I have two Extra-Assistant Commissioners at Mardan.

38771. Have they charge by territorial areas or by subject?—Territorial.

38772. Who is there below them?—The tahsildars come next. I have five tahsildars; there are five *tahsils* in the district.

38773. Who are the officers below them?—Naib-tahsildars.

38774. Can you appoint a tahsildar or a naib-tahsildar or transfer them?—No.

38775. Have you no power over them?—No.

38776. Who is the officer below a naib-tahsildar?—A kanungo.

38777. Do you appoint and move them?—Yes.

38778. You say that there is certain amount of interference with the Deputy Commissioner's orders by superior officers—what do you mean exactly by that?—I mean that there is no order which I can give with regard to any person, whoever he may be, that cannot be appealed against in some form or other, and if a man does not care to accept an order as the order of the Deputy Commissioner, he can appeal against it.

38779. Is that with regard with revenue matters alone?—That is with regard to all matters.

38780. Then in all matters you think you have no power at all?—Yes; very nearly.

38781. (*Sir Frederic Lely.*) In every district in this province are there recognized sub-divisions?—Yes.

38782. In each sub-division is there an Assistant in charge to whom are delegated practically all the powers of the Deputy Commissioner, or what are his relations to the Deputy Commissioner?—In the Peshawar district there is a sub-division with headquarters at Mardan which is in charge of an Assistant Commissioner.

38783. Is there only one sub-division to a district?—No, but this is a special case which is differently treated from the others, and for some years past now there has been an Assistant Commissioner in charge of Mardan with practically the full powers of a Deputy Commissioner; as regards the other sub-divisions they have not the same powers as a Deputy Commissioner by any means.

38784. Do you delegate powers to the Sub-Divisional Officer at Mardan at your discretion or is the delegation made by the Chief Commissioner?—The delegation is made by the Local Government.

38785. Have you no discretion whatever as to the powers which may be exercised by him?—I can confer some powers upon him under the Frontier Regulations of my own accord.

38786. Does he live in his sub-division or does he live at headquarters?—In the Peshawar district the Naoshera man lives at headquarters. The Charsadda man does not live at headquarters. Practically with one exception they live in their sub-divisions.

38787. Are they all First Class Magistrates?—They all have powers as such.

38788. They take criminal appeal work?—The Assistant Commissioner at Mardan has appellate powers.

38789. Practically are they responsible for the work of the administration each within his own sub-division?—No, not in the least. To take an instance the Assistant Commissioner in the Charsadda sub-division does practically no work at all; the revenue work is done by the Revenue Assistant.

38790. Who lives at the headquarters of the district?—Yes; he lives there, but he spends the greater part of the year touring, and with regard to the ordinary Assistant Commissioner the only revenue work he does is the revenue case work which is sent to him.

38791. Has he nothing to do with the collection of the revenue?—No; with the exception of Mardan, which is treated specially; there the Assistant Commissioner does the whole of the revenue work.

38792. Is the Sub-Divisional Officer the superior of the tahsildar; and does the tahsildar look to him for orders on every point?—No. I should say not.

38793. In revenue matters has the Sub-Divisional Officer no control over the tahsildar?—None.

38794. What, as a class, is the character of the tahsildar—is he efficient and reliable?—They vary: some are very reliable and efficient, and some are the very reverse.

38795. Does the naib-tahsildar belong to the same class?—Yes.

38796. And then comes the kanungo?—Yes; who belongs to a totally different class.

38797. Has the Sub-Divisional Officer any authority over him at all?—No, I do not think he ever knows him or sees him.

38798. Who is his immediate superior, the Revenue Assistant Commissioner?—The Revenue Assistant Commissioner and the Deputy Commissioner.

38799. Then below him have you patwaris?—Yes, they are paid in grades.

38800. Are they sufficiently paid to secure efficiency?—Yes; they are sufficiently paid on the whole.

38801. What is your opinion as to them as a class?—Very moderate.

38802. What remedy can you suggest for improving them?—It is no use increasing their pay—that will not increase their efficiency; it is generally the idea that if you increase a man's pay you will attract a better stamp of men, but in this case I do not think you will.

38803. Are they hereditary?—Very much so; most patwaris put their sons in as candidates to start with.

38804. Have they any legal right of inheritance?—I do not know that they have any right, but if it is a question between the selection of a patwari's son and an outsider, the appointment is given to the patwari's son in preference to the outsider. A recommendation is made by the Revenue Assistant, and the order of appointment is passed by the Deputy Commissioner.

38805. Is there no qualification necessary?—Yes; when a man starts as a patwari he has to pass a patwari's examination, while he is a patwari assistant or candidate.

38806. Does he get a probationary nomination subject to his passing the examination?—Yes.

38807. Does that produce as good a class of men as it is possible to obtain?—No, not as good as it is possible to obtain, but as good as is required.

38808. And you have no improvement to suggest?—No; not as regards patwaris.

38809. (*Mr. Dutt.*) Is there a *tahsil* generally in each sub-division?—There is always one *tahsil* in a sub-division, and generally more; a sub-division generally contains two or perhaps three *tahsils*.

38810. Do those tahsildars exercise civil as well as criminal and revenue powers?—Yes.

38811. Do the Sub-Divisional Officers try civil, criminal, and revenue cases?—Yes.

38812. Does the Sub-Divisional Officer hear appeals from the tahsildar?—No, except at Mardan.

38813. Ordinarily, when there are appeals from a tahsildar, who hears them?—The additional District Magistrate in criminal cases, and in civil cases the same officer, who is then called the District Judge.

38814. And revenue appeals?—They go to the Deputy Commissioner.

38815. Is the patwari the man who collects the land revenue in his own village?—The patwari is the village accountant; the *lambardar* collects the revenue and pays it into nearest treasury.

38816. Is there a treasury for each *tahsil*?—At each *tahsil* there is a sub-treasury.

38817. Is the land revenue collected in the gross for a whole village or is it collected individually from each cultivator?—From each holder.

38818. Is the settlement here generally for 20 years?—Yes.

38819. Have you much irrigation in this district?—Yes, a great deal.

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*Major C. B. Rawlinson.* 38820. Is there a separate irrigation rate?—Yes, called a water-rate.

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38822. Is the Irrigation Department under the Canal Engineer?—It is a separate department altogether, and the rate is collected by what is known as the Irrigation Department.

38823. Has the Deputy Commissioner any voice with regard to the distribution of irrigation water?—Not in the case of canals and the Irrigation Department, in an ordinary way, but if he found reason for calling the attention of the Irrigation Officer to anything which he thought was not right he would do so; in the ordinary course of events he has nothing to do with it.

38824. Suppose a large number of cultivators came to you and said that their crops were drying up because they were not getting sufficient water, would you make an enquiry from the Irrigation Department?—I should send that on to the Irrigation Department and ask the officer in charge to kindly consider the application.

38825. Would he in that case inform you of the action he had taken?—Not unless it was a rather more important matter than usual. He is generally inundated with petitions, because no cultivator ever admits that he has enough water.

38826. Is it desirable that the Deputy Commissioner should have a little more control especially with regard to the distribution of water which is a very important thing for the cultivators?—No, I do not think he should have any more control as far as the distribution of water goes.

38827. Have you any reserved forests in the Peshawar district?—Yes; we have a small reserved forest.

38828. Have you also protected forests?—That is a protected forest.

38829. Is there not a distinction made between reserved and protected forests?—Yes, there is what is called Block A and Block B in this district. One is absolutely reserved and nothing is allowed to be done in it at all—that is Block A; and in Block B certain things are allowed, like grazing of cattle and the collection of dead wood, and so on.

38830. Who is the officer in charge of these forests in this district?—We have a superintendent of forests.

38831. With regard to Block B, would you have any voice as to making rules?—The forest is entirely under the Deputy Commissioner; there is no Forest Department here at all.

38832. You are the Chairman of the District Board here. What, approximately, is the income of the District Board?—I should say about Rs. 65,000, but I really do not know.

38833. Is the income derived from the cess levied on land?—It is derived from the local rate.

38834. Is it supplemented by a Government grant?—In recent years we have had some supplemental grants, but they have been special cases, and cannot be relied on every year.

38835. Have you a sufficient staff of men to look after the construction and repair of those roads?—Yes; but I have not enough money to keep the roads up.

38836. Is primary education also undertaken by your District Board?—Yes.

38837. Have you sufficient money for primary school purposes?—The Education Department never seem to think that we give them enough, they generally find fault with their school buildings and appliances and everything they can. I do not think we have enough money.

38838. As far as primary schools are concerned, do you hand the money over to the Education Department and allow them to look after the schools?—No; the details pass through the District Board's accounts.

38839. Is the actual inspection of the village schools done by the Board?—It is done by the District inspector of schools and the officer in charge of education.

38840. Is the inspector an officer of the Education Department?—I am not quite sure where we get him from.

38841. (*Mr. Meyer.*) Is your Sub-Divisional Officer concerned purely with case work—revenue, criminal and civil?—He is concerned more or less with everything—it may be veterinary matters or excise, or any matter of any kind, but the majority of his work is case work.

38842. You say he is not concerned with the collection of the revenue, but does he go round and report on the state of the crops?—No; it is not laid down anywhere that he is to go round particularly and report to anybody regarding the state of the crops.

38843. What is done in practice? Do you get some assistance from your Sub-Divisional Officers with regard to the ordinary executive revenue administration, apart from case work?—You can get as much assistance out of them as you choose: you can depute them to go and make any enquiries with regard to anything; you can practically order them to do whatever you think necessary.

38844. In practice do you rely on your Sub-Divisional Officers in these matters, or do you work chiefly through the Revenue Assistant?—We work chiefly through the Revenue Assistant.

38845. Have you any veterinary work here under the District Board?—Yes.

38846. Does the District Board manage that work or is it done for them?—It is supposed to be managed by the District Board, but like most other things it is entirely managed by the Deputy Commissioner.

38847. Not by an outside department?—No. We are assisted very much by the Superintendent of the Civil Veterinary Department in whose circle we are.

38848. Then it is the Board nominally, but the Deputy Commissioner practically, who has the matter more or less in his own hands?—It is very much worked by the Deputy Commissioner, together with the Superintendent of the Civil Veterinary Department. In fact we go so far that the Superintendent appoints the veterinary inspectors and assistants; I do not appoint them because it is a technical matter for the department; they appoint, transfer, and dismiss them.

38849. Do you appoint schoolmasters?—No. It is left to the officer in charge of education.

38850. Do you have much to do with medical relief, or is it managed entirely by the Civil Surgeon?—That is likely the veterinary business, and is managed entirely by the Deputy Commissioner with some slight assistance from the Civil Surgeon.

38851. Is there any rule ear-marking the revenues of the Board for specific purposes—have they to give so much per cent. for education and so on?—Yes; they are supposed to do so.

38852. Is that a definite instruction?—Yes.

38853. Can you give the percentages?—No; I am afraid I cannot.

38854. As a matter of fact is the amount they can spend at their own discretion comparatively small?—Very small indeed, and quite inadequate for the requirements.

38855. Does the same thing apply to the Peshawar municipality?—No; the Peshawar municipality is rich.

38856. But has it to spend a certain percentage of its revenue on certain services and so on?—No; except as to education, and under the peculiar circumstances of Peshawar we do not attempt to spend anything like that proportion of our income on education.

(*The witness withdrew.*)

MAJOR D. B. BLAKEWAY was called and examined.

¶ 38857. (*Chairman.*) You are Deputy Commissioner at Bannu?—Yes. I have been there since 1903, with the exception of 18 months' furlough at home. I was appointed by the Chief Commissioner.

The real and actual authority exercised by Deputy Commissioners in this province is quite sufficient. It is in fact ample and more than ample. For the purpose of increasing his influence and importance, our system of government requires no modifications, neither in respect of limiting the right of appeal against the Deputy Commissioner's orders, nor in extending his administrative powers, except in the direction of enlarging his powers of reward. The flaw in our administrative system is not the weakening of the Deputy Commissioner's powers and the diminution of the respect in which he is held. The real defect is that our District Officers are overburdened with office work. They are unable to wield their authority to the best advantage. They are unable to make friends with, and thereby cement the loyalty of, the leading men by a patient personal hearing of their grievances and frequent oral intercourse with them. They are unable to know the people in general as they should; neither are the people able to surmount the *chevaux de frise* of documents, ink-pots, and pens with which Deputy Commissioners are surrounded and get to know them. In short, they no longer efficiently fill their former positions of connecting links between the Government and the people. In this is a serious danger which time will accentuate, for the burden of office work and correspondence is continually increasing. Facts and figures can be given showing the considerable extra work thrown on District Officers since the separation of this province from the Punjab in the matter of new Acts, rules, and circulars alone. Locally it may be mentioned that in the Bannu district correspondence has increased though the district has been halved in size. These statistics form a striking commentary on the Government's anticipations regarding "the wider liberty of action and leisure for intercourse with the Pathan peoples" to be enjoyed by officers of this province.

A constant tendency exists on the part of Government towards increasing the complexity of work and an equally constant disposition towards regulating it in its minutest details. There is a tumultuous torrent of new resolutions, Acts, regulations, instructions, circulars and rules, due to our uncontrollable desire to legislate and expound our legislation to a bewildered public. As some check upon this tendency, new legislation should be invariably discouraged while no fresh rules or circulars should be published by any Inspecting Officer unless a Board composed of the Heads of Departments in the province is satisfied of their necessity.

A number of unnecessary references required from the Deputy Commissioner may be done away with in revenue work, a few in general administration, and a number regarding contingent expenditure. The Deputy Commissioner should be relieved absolutely of all responsibility for the Government treasury and its complicated accounts. The treasury business should be managed by officers of the Accounts Branch, instead of by officials provided from the district establishment. A system of peripatetic audit should be substituted for the Deputy Commissioner's supervision.

With respect to the existing very liberal right of appeal, the Deputy Commissioner's influence has not been weakened by it, but it entails a vast amount of entirely superfluous writing. Curtail the right of appeal and you curtail the waste of time by the District Officer and incidentally, though this is of less importance, you curtail the waste of time by the appellate authority. In cases connected with village administration, new hamlets, menial labour, and the appointment of night watchmen, the Deputy Commissioner's order might be made final. All administrative cases involving property or interests affecting property below a certain fixed value should be finally decided by the Deputy Commissioner, unless he saw fit to grant a certificate of appeal. Various amendments might be introduced into the Frontier Crimes Regulation making the Deputy Commissioner's orders conclusive in cases under sections 40-41 (security cases) and section 8 (civil references to tribal councils). At present any official down to an office sweeper drawing Rs. 5 per

mensem can appeal to a Lieutenant-Governor of a province. No official on the district establishment whose pay does not exceed Rs. 25 should have the right to appeal against a Deputy Commissioner's orders. In the same way Rs. 50 should be fixed as the limit in the case of an appeal from the Revenue Commissioner to the Chief Commissioner. *Mutatis mutandis* I would apply these rules generally to other departments.

I am of opinion that the reduction of the size of charges is not generally necessary or advisable. The work of a Deputy Commissioner in a district does not vary according to its extent, but according to the diversity of its problems. Unless there are well-marked differences of races and religions, or of law and of customs obtaining in definite areas in a district, there is not much advantage to be gained from decreasing its area. If the staff be increased, then the Covenanted European staffs should be strengthened. Native Extra-Assistant Commissioners acting as Magistrates are disinclined to exercise responsibility, and their appointment will entail references to the Deputy Commissioner as usual. I strongly recommend the appointment of a personal assistant for the Deputy Commissioner in each district. He would be of assistance in a long list of routine matters, in report writing and correspondence, and save the waste of time by the Deputy Commissioner. He should be a European Covenanted Officer. If financial considerations prevent this, then a Native Extra-Assistant Commissioner of experience must be accepted.

Advisory Councils, for the assistance of the District Officer, are not required. Municipal Committees and the District Boards already exist, and can always be consulted when necessary. In a private interview, however, much more can be elicited of advantage to a District Officer in his relations with the people than in a public meeting. The one fact upon which a Deputy Commissioner relies in his attempts to get at the opinions, wishes, and prejudices of the people, is that the men consulted by him are sure that the candid expression of their opinion will not cause them harm or rouse resentment on the part of others. This would not be the case in a public Council, which would eventually become a purely formal body, and be of no more real use to the Deputy Commissioner than a provincial *darbar* in its ceremonial meeting is to the Head of the province. I am equally opposed to the formation of Administrative Councils in districts. Unreasonable delay would occur in the disposal of district work in its multifarious aspects if orders, other than those of a routine nature, had to await the sanction of the administrative body. The distribution of authority would lessen the sense of responsibility under which a Deputy Commissioner now acts.

The powers of punishment of the Deputy Commissioner are as comprehensive as his personal powers of reward are limited. At present the only method of recompense open to him on his own initiative is the grant of cash from political funds for political service, and this method even is peculiar to this province. It would be of much advantage if the Deputy Commissioner could grant small assignments of revenue during the term of settlement (if not for life) for good and loyal service, as a tangible and recurring sign of the approval and good-will of the ruling power. I would fix the annual number of assignments in a district at two or three, and the limit of the value in each case at Rs. 15 a year for the term of settlement.

As I am not in favour of the grant of more extended powers to Deputy Commissioners, except to bring them into closer touch with the people, whether their appointment in future will depend on seniority or selection, is not a matter of importance from my point of view.

Transfers of officers are objectionably—I cannot say unnecessarily—frequent. In my district in three years (since 1905) there have been seven changes in the office of District Judge; four changes in the office of Commandant, Border Military Police; six changes of Extra-Assistant Commissioners; two changes in the office of tahsildar, Marwat; two changes in the office of tahsildar, Bannu; six changes in the office of naib-tahsildar, Marwat; and four changes in the office of naib-tahsildar, Bannu. The changes are due, no

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doubt, to the smallness of the *cadre* and the limited number of appointments in this province. An increase of staff can only remedy this, but certain appointments (such as those of Deputy Commissioner and District Judge) might be made tenable for a fixed period, as in the case of the higher administrative posts.

On the whole, the knowledge of Executive Officers of the vernaculars is insufficient. It is as a rule a departmental knowledge with departmental vocabulary acquired with effort after their arrival in India. Facilities for acquiring Eastern languages in English schools and colleges are lamentably lacking. In India the most important reform required is the provision of better instructors for junior officers. I suggest the utilization of the services of trained teachers in the schools and colleges of Government and local bodies, who should themselves be instructed at the various institutions for the training of teachers in scientific methods of imparting a knowledge of their own languages.

I do not support the extension of the powers of District Boards and municipalities except in a few not very important particulars. They must first be taught to take an interest in the powers which they possess.

There are certain matters connected with revenue and police, affecting villages as a whole, which I would gladly make over to village communities for disposal. The population, however, in this province at all events, is so unscrupulous and so split up by faction, that there would be no guarantee against the oppression of the weaker by the stronger party. Similarly the backwardness of the people must prevent their investment at present with educational and sanitary powers. As regards the establishment of rural Courts, theoretically the idea is excellent, but I am doubtful whether such Courts would command the confidence of the people. The system of compulsory arbitration in civil cases, and reference to a jury in criminal cases, now practised is only possible owing to the watchful supervision of the District Magistrate. As it is, corruption is prevalent. However, there is no reason why rural Courts should not be tried experimentally for the disposal of civil (not criminal) cases in selected districts. I would make recourse to the rural Courts entirely optional; limit their powers to the disposal of suits not exceeding Rs. 50 in value, which would include a vast amount of the litigation of this province; lay down a few very simple rules for their procedure; have no written record, but merely a register for the record of their decisions; have the decrees executed through the Munsif's Court; allow no appeal, but give the District Judge power of revision; exclude pleaders; and remunerate the members (to be not less than five) of the Courts by revenue free assignments of small value, to enhance their status and give them an inducement to avoid loss of their position through misconduct.

38858. What is the size of your district?—2,000 square miles, with a population of 230,000.

38859. Can you move your subordinates?—Certain of my subordinates I post, but others I do not.

38860. Which of them do you post?—I post *patwaris*, *kanungos*, and the clerical staff of the district offices and Courts, with the exception of three officials whose appointment requires the approval of the Revenue Commissioner. In the Education Department I post schoolmasters. I also post Local Fund officials generally and municipal subordinates. Those are the chief appointments made by me.

38861. Have you no power either to post or transfer your *tahsildars* or *naib-tahsildars*?—I have no power at all over them; they are appointed for the province without reference to me.

38862. From what class?—They are selected from officials of approved service, landowners of good position, and from members of the educated classes, subject of course to a certain examination.

38863. A witness yesterday desired to see the class of Statutory Civil Servant resuscitated; have you any opinion on that point as far as this province is concerned?—No; I have no opinion; I never had any acquaintance with the Statutory Civil Service.

38864. Would you agree with the last witness when he said that the Deputy Commissioner was quite unable to give an order to anybody which he could get carried

out without an appeal?—That is practically the case; there is practically no order of the Deputy Commissioner which is final.

38865. In revenue matters?—In any matter—administrative, revenue, or any other—there is practically no order of his which is final.

38866. Although that may be the case in theory, is it in practice?—In practice it is a matter of individual idiosyncrasy; a good Deputy Commissioner should be interfered with very little and get very few of his orders upset. On the other hand, an interfering Commissioner may be constantly altering orders. A man who trusts his officers will not intervene very much. As regards rules and regulations and laws, there is no order of the Deputy Commissioner which is final.

38867. You say in your evidence, "For the purpose of increasing the Deputy Commissioner's influence and importance our system of government requires no modification." Does a system under which the officer who is responsible for 2,000 square miles of country, in which no order of that officer is final, require no modifications?—My reasons for that view are based very considerably on the native character. The native is a great believer in the power of recommendation—in the power of unofficial influence; you see it everywhere. A man will bribe your *chaprassi*, who has no power whatever over your decisions. In the same way the Deputy Commissioner is looked upon as a person of influence and authority, and whatever his orders may be, very frequently they would hesitate to appeal against them simply and solely because he is a big person in their eyes.

38868. So that, practically, although under rules and regulations you may not be able to give a final order, in practice you get what you want?—Practically you get what you want; your influence is quite sufficient in a district.

38869. That is the reason why, at all events in this province, you think your position wants no modification?—Those are the main grounds.

38870. Then you say that the District Officer is overburdened with office work, and apparently that is due to correspondence increasing; correspondence with whom?—Correspondence with all the various departments of Government, that is to say, the general correspondence of the district. In my particular district, Bannu, the district was halved in size when the Frontier Province was inaugurated. In spite of that correspondence has increased, in Local Funds and in political matters; and in the General Branch, though the correspondence has diminished, it is owing to the fact that the district has been under settlement. The settlement is now finished, and there is every probability that the correspondence will be considerably greater than it was at the separation of the province from the Punjab.

38871. Were you Deputy Commissioner here before the province was inaugurated?—I was Deputy Commissioner in Hazara.

38872. Are the Hazara district and the Bannu district comparable in size and population?—No; they are very diverse—in population, in size, in the physical configuration of the district, the character of the people, and everything.

38873. Therefore you could not very well compare your experience in Bannu with your experience in Hazara?—No.

38874. You refer to Acts, rules and regulations; do these emanate from the Local Government or from the Government of India?—The Acts, of course, emanate from the Government of India, but the rules and regulations are issued I believe to a very large extent by the Heads of Departments in the province, following upon and explaining those Acts.

38875. And these circulars?—Those are similarly issued by the Heads of Departments.

38876. Do you refer to the Revenue Commissioner?—The Revenue Commissioner, the Judicial Commissioner, the Administrative Medical Officer, the Inspector-General of Education, the Inspector-General of Police, (I do not think he has been responsible for many)—in fact, all the various Heads of Departments.

38877. Do these people all send you circulars?—They send very frequent circulars.



38878. Have you got any samples of them?—Printed circulars issued by the Judicial Commissioner up to date, since the formation of the province in 1901, number 27. Revised revenue circulars issued by the Financial Commissioner, Punjab (which apply, *mutatis mutandis*, to this province), 50; circulars issued by the Revenue Commissioner, practically innumerable, though the serial number on a recent circular was 6,038; circulars issued by the Administrative Medical Officer, 40 (but only 19 of those have been sent to me); circulars issued by the Accountant-General, 302; agricultural circulars, 7.

38879. Have you to acknowledge the receipt of all these circulars?—It is not the acknowledgment of the receipt which takes time; it is mastering the circulars containing instructions and applying them.

38880. But apart from that, do you have to acknowledge their receipt?—I think it is taken for granted that they arrive. Then there have been an enormous number of rules; rules under the Co-operative Credit Societies Act; rules under the Punjab Court of Wards Act; "Tirni" Rules.

38881. What are they?—They relate to the grazing fees which are recovered from trans-frontier people. To continue, rules for the maintenance of Sheriff's registers; rules for the repayment of advances for agricultural improvements.

38882. Have you many co-operative credit societies in Bannu?—No; we tried one but it is not flourishing. To continue, rules under the Land Alienation Act; rules under the Excise and Opium Acts; and a vast number of excise Resolutions which have recently been published.

38883. Are many of these rules that are sent to you upon subjects which have no connection with your particular district?—A certain number are needlessly sent; for instance, I receive reports on the excise administration of Coorg.

38884. Sent you by whom?—They are distributed by the Local Government. You do not do anything with those, you simply file them; they do not trouble you. Then we have rules under the Poisons Act; rules under the Petroleum Act, which are so complicated that nobody can understand them; rules under the Stage Carriages Act; and finally rules under the Transport Animals Act. Most of these rules are very voluminous, and they require a lot of study if they are to be properly applied.

38885. By whom is this literature compiled?—It is compiled very largely by the Government of India. When I say very largely, I cannot say definitely the relative responsibility of the Local Government and the Government of India.

38886. From your study of these documents, would you say that they take a good deal of time to compile?—I should say an enormous time.

38887. And that might account for any congestion of business which there is at the headquarters of the Local Government?—It might certainly account for some of that congestion.

38888. Are you the Chairman of a municipality?—Yes, of the Bannu municipality.

38889. Is that a large one?—Not very large; its income is about Rs. 50,000; population including cantonments also liable to octroi 14,000, which is increased very largely owing to local circumstances. We hold a weekly fair.

38890. We were told the other day that at a place like Abbottabad it would be tolerably easy to find a non-official Chairman out of a population of 7,000; would you say that the same thing held true with regard to Bannu, with its population of 14,000?—By a non-official Chairman you mean a man who would exercise the same powers as myself. It would be very difficult to find such a man, and it would be a very dangerous experiment indeed to give him such powers. The people are not used as yet to any position of that sort; they are not sufficiently advanced; there is not the same standard of integrity which you would expect in a European officer, and there is not the same ability to resist recommendations on behalf of friends and relations in the district which an outside official possesses.

38891. How is it the municipality of Bannu constituted?—By nomination.

38892. Do they work by committees?—We have sub-committees.

38893. Are you Chairman of them all?—No; I am Chairman of none of them.

38894. Are most of your members officials too?—A certain number of the members are officials; for instance, the tahsildar, the Assistant-Surgeon of the place, and the Police Superintendent will be *ex officio* members, and so on. The principal headquarters officials, generally, are *ex officio* members.

38895. (Mr. Meyer.) Did you say that the circulars of the Financial Commissioner of the Punjab are binding on your province?—No; they apply after they have been revised by the Revenue Commissioner.

38896. They have no force *per se*; the Revenue Commissioner must endorse them?—Yes; they must issue through his office, he being the revenue authority for this province.

38897. You say you had about 300 circulars from the Accountant-General; what were they about?—They dealt with procedure—directions and instructions on matters of account.

38898. A great many of them simply communicate amendments to the Civil Service Regulations and the Civil Account Code?—Only a few in the case of important corrections; otherwise corrections are communicated by "correction slips."

38899. You say that you get a certain mass of literature that you do not really require. Is it not more of the nature of a daily paper that tells you what is going on in the official world around you?—That is one way of looking at it. It would no doubt be a convenient way of looking at things, if it were not that there were Inspecting Officers who are supposed to insist, as far as their duties will permit them, upon the carrying out of the rules issued by them, and included in this literature.

38900. You suggest that, to put a stop to this, no rules or circulars should be published by a District Officer unless they are approved by a Board of the Heads of Departments of the province. What would an Administrative Medical Officer know about instructions bearing upon agriculture, or *vice versa*?—I suppose the same difficulty exists in the Council of the Government of India; each man has his own separate department, but, he has a general acquaintance with the various departments of Government.

38901. But when it comes to technical matters the Member in charge of the department is deferred to by his colleagues; in such a case as I put would not the Administrative Medical Officer let the Agricultural Officer issue as many circulars as he liked, provided that the Agricultural Officer in his turn did not interfere about circulars issued by the Administrative Medical Officer?—That would be a nefarious sort of contract; I trust that it would not occur.

38902. You desire that the Deputy Commissioner should be relieved of all treasury work putting the treasury work into the hands of an officer of the Accountant-General's Department. What would you do with the *tahsil* treasuries?—In the same way I would manage the whole of the treasuries in the province, that is to say as branches of one main bank.

38903. At present the system is that your bills are passed on what they call the post-audit system; that is to say, they are thoroughly audited later on in the Accountant-General's office. If you had the Accountant-General's office permeating the whole place, they might decline to pass your bills until the accounts were thoroughly audited?—The Accountant-General has introduced a system of that sort recently—at all events as regards your pay, as to which he distrusts you more than in anything else. You cannot draw an increase of pay until he has formally sanctioned it, although your name may have been actually published in the Gazette.

38904. That surely was always the custom?—No; we used to draw our pay directly our name appeared in the Gazette. Besides any charge which is over six months old has to be sanctioned by him before being paid.

38905. You say that in cases connected with village administration, and new hamlets, and the appointment of night watchmen, and so forth, the Deputy Commissioner's orders might be made final. Has the Deputy Commissioner no final powers now?—No.

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38907. You say the Deputy Commissioner's orders should be more final in regard to civil references to tribal councils ; what do you mean exactly ?—That is rather a technical matter. For this province there is a special Regulation—the Frontier Crimes Regulation. With a view to putting an end to disputes, the Deputy Commissioner is empowered to refer quarrels to a council of elders, which is nominated or supposed to be nominated, theoretically, from the men of the tribe to which the parties belong. This is what is called a civil reference to the *jirga*. The matters referred are usually not important ; they are generally cases connected with women, but sometimes quarrels over the payment of a debt between a trans-frontier man and a man within our border. As they are not important cases, and as they are decided by a council appointed from amongst the people themselves, these orders might very well be made final. At present they are subject to revision. In this province revision has been treated to a certain extent as appeal, as regards the Frontier Crimes Regulation ; that is to say, decisions have been set aside on facts, and not merely on points of law.

38908. Do you share the unfavourable opinion that was expressed by some witnesses yesterday about these *jirgas* ? We were told that they were very often corrupt and that their decisions did not give general satisfaction—It is a system which requires to be worked with considerable caution ; but, provided that you have a Deputy Commissioner who knows the people and who has been some time in the place, it can be worked with fair safety.

38909. Would you extend the references to the *jirga* ; would you give them more ordinary cases?—No ; I would not extend the powers of the *jirga* at present.

38910. These *jirgas*, I understand, are not standing bodies ; each *jirga* is nominated for a specific purpose by the Deputy Commissioner?—Yes. And one of your safeguards, of course, is that in nineteen cases out of twenty you nominate your *jirga* with the consent of the parties.

38911. You do not think you could have anything in the nature of a standing *jirga*, which would be a sort of Advisory Council to the local officers, and could at the same time deal with any matters that were referred to it?—No ; that would be undesirable. You would not get a sufficiently honest body of men together, or men who would be able to resist the pressure which would be brought to bear upon them.

38912. Also is it that this is a democratic country, and you do not have sufficient men of light and leading that the others would respect?—No ; I do not think that that reason applies, because you always have a certain number of leading men in a district who have great influence.

38913. Have you any sub-divisions in your district?—We have no sub-divisions.

38914. Have you served in districts where there have been sub-divisions?—I have some six years ago.

38915. In that case is the Sub-Divisional Officer mainly employed in criminal and civil and revenue case work, and the actual administration of the district done directly by the Deputy Commissioner through the tahsildars?—That, again, is a matter which depends very much upon the personal equation, whether or not the Assistant Commissioner is a man who is keen on the work—whether he is anxious to gather all the threads of administration into his own hands, and so on. If he is, he will decide a lot of cases without reference to his Deputy Commissioner, and he will not be interfered with.

38916. You have no system such as is in vogue, for instance, in Madras and Bombay ; there the district is split up into sub-divisions, and each man is practically the Collector in miniature ; he deals with all the original work, and the Collector is a Controlling Officer, who hears appeals, goes about inspecting, and so on?—No ; that is not the case in this province.

38917. You speak of the desirability of giving a personal assistant to the Deputy Commissioner.

Might it not be possible, as an alternative, to initiate a system of delegation of that sort, to relieve him of his original work a good deal, and to make him more of a Controlling Officer for the district as a whole?—Yes ; it might be a possibility ; and it would be a most desirable thing if it could be arranged.

38918. It would be decentralization?—It would be decentralization. In my opinion the Deputy Commissioner of the district should not be burdened with any original work of any kind ; he should be merely a Controlling Officer. It is his business to see that all the officers of the district do their duty properly ; if you choke him up with work, he has no time to go about and look into all the various branches of the administration.

38919. Speaking generally, one might say that if a decision of the Sub-Divisional Officer was appealed to the Deputy Commissioner and he confirmed the decision, there should be no further appeal?—Speaking generally, that would work perfectly well.

38920. It has been suggested that there might be one exception to that, in the case of a public servant ; that if you dismiss a public servant, his pay may be small, but it is a very serious matter to him, and in that case you might allow a second appeal ; would you be disposed to endorse that?—Yes ; subject to a limit of the amount of his pay ; you might fix the limit at any reasonable figure ; in the case of a public servant drawing Rs. 25 a month he would not be entitled to appeal beyond the Deputy Commissioner ; in the case of a public servant drawing Rs. 50, he might appeal to the Revenue Commissioner ; then the latter's order should be final.

38921. Still, the position of the Rs. 50 man is just as precious to him as the position of a Rs. 200 man is to that man?—I grant that, but you have to draw the dividing line somewhere, and the only way of drawing it and differentiating between the value of different public servants is by the amount of pay they draw ; there is no other possible way.

38922. As regards District Boards ; do you confirm the statement of the last witness that the revenues are practically all earmarked for specific purposes ; they have to give so much per cent. of their income for education, and so on?—Yes ; generally.

38923. What are the percentages?—The fixed minimum of income of the municipal funds payable is as follows : education, 10 per cent. ; medical relief, 18½ per cent. The fixed minimum of the income of District Boards is : education 25 per cent., medical relief 12½ per cent., and to Government, on account of share in certain establishments, about 7½ per cent. of the local rate. Then there are certain fixed sums laid down for the upkeep of the veterinary hospital of the District Board by the Revenue Commissioner in consultation with the Head of the Veterinary Department, which is also earmarked. The District Board and municipality also contribute jointly to the veterinary establishment a certain fixed amount.

38924. So that practically they have very little to play with?—They have not very much.

38925. Is that the same in the Bannu municipality?—As far as I know, it is only the expenditure on medical relief, veterinary establishment and education which are earmarked in the case of that municipality.

38926. Would you be in favour of giving the District Boards and municipalities more latitude in that way, taking off these percentage limits and letting them dispose of their money at their own discretion?—No ; I do not think I should at present, because owing to the departmentalism in India, that minimum is a sort of safeguard. You have all the various officers of departments writing to you and saying, "Our department is being very much neglected, we want this and that and the other ;" and you are provided with a sufficient reply if you can say, "We have given the standard minimum." If you had no minimum of that sort their demands would be absolutely uncontrollable.

38927. Would you not be in a stronger position, even, if you could tell them to go to Jericho?—Yes ; if the President were made the supreme local financial authority. I mean, instead of budget allotments being made and being placed at the disposal of Heads of Departments, if allotments were made and the bills

against those allotments were submitted to the President for countersignature, and then placed in front of the Local Board for approval. This would strengthen his position, and would generally lead to the better working of the district.

38928. Does your Board vote certain sums for veterinary work, medical work, and so on and pass them on to the local Head of the Department in the district?—According to an agricultural circular (which deals with veterinary work), the yearly veterinary allotment is placed at the disposal of the Superintendent of the Civil Veterinary Department. An instance recently occurred in my district in which a small, but necessary, sum was paid by the Local Board. The bill was sent to the Superintendent of the Civil Veterinary Department, for approval, and he declined to approve it because he had not sanctioned the charge to begin with. The result was that he claimed, as it were, to be the countersigning authority for expenditure by the Veterinary Department, and that all power was taken out of the hands of the District Board.

38929. To sum up, you desire that the District Board, as it does in some other provinces, should get advice from these departments, but should have the final power of sanctioning and distributing expenditure?—Yes; that is exactly my position.

38930. (*Mr. Hichens.*) What are the rules governing the appeals of Government officers?—Any officer can appeal to the Chief Commissioner or Lieutenant-Governor of a province, no matter how small an official he may be.

38931. That is the effect, roughly, of the rule?—Yes; there is no limitation placed on his power of appeal.

38932. Suppose you did limit his power of appeal, could you prevent him petitioning the Government?—Yes; if I were the Head of a Government I would refuse to entertain his petition unless it was accompanied by a certificate from the officer whose order was appealed against that it was a fit case for appeal. I would also deprive him of the right of appeal to the Head of the province, unless he had a certain minimum of pay.

38933. Has not the humblest raiyat the right to petition his own Government?—Yes.

38934. And it depends on the good sense of the Government what notice they take of his petition?—Yes.

38935. You do not think that Government servants would feel it very strongly if they were deprived of a right which everybody else in the province possesses?—There would be a certain amount of dissatisfaction, as is caused whenever you take away a privilege from the people; but I do not think there would be any serious dissatisfaction.

38936. Not so strong as to nullify the benefits which would arise from restricting the right?—No.

38937. Does the Government give a grant to municipalities for primary education?—No. Recently, having been so fortunate as to have a large surplus, the Government of India have been distributing money with both hands to District Boards for Public Works, education, medical relief, and the veterinary department.

38938. The municipality pays 10 per cent. of the cost of keeping of primary schools, and does the Government find the balance (less the receipts from fees); is that the position?—No. The municipality keeps up the schools, after taking the school fees. As a matter of fact, in my particular district, fees are not levied from agriculturists, because the raiyats are so backward that if they had to pay a pice a month for education, no one would send his children to school.

38939. Then the Government provide nothing?—There is a grant to two indigenous aided schools in the district, but, generally speaking, the local body is responsible for the upkeep of the primary schools.

38940. How many schools are there in Bannu which are kept up at the expense of the municipality?—The municipality merely maintains entirely the high school in the city, which comprises both primary and middle departments. A contribution is also given to the Mission High School and three Indigenous Schools.

38941. Does that eat up the 10 per cent. of its revenue which you were alluding to?—We are paying a little more than our minimum.

38942. You say that the Government does make some grant in the case of the education which is controlled by the District Board?—The grant made by Government is a special grant which they have been giving recently to stimulate the extension of primary education in the district.

38943. By a special grant do you mean a non-recurring grant?—It is a grant which we have reason to expect will recur for the next three years, but we have no definite guarantee that it will go on after that; of course, we assume that probably it will.

38944. For example, in some provinces the Government undertakes to defray certain definite charges, say the salaries of teachers and so forth; that is not the principle here?—No. Those are paid by the District Board and the municipality. The only fixed grant is a trifling one under Rs. 200 to the District Board for education.

38945. The Board, practically speaking, has to provide all the expenditure less the windfall that they may happen to get from the Government?—Yes; that is the situation.

38946. Do the District Boards get any grants from the Government for other purposes?—They have had these special grants to which I have alluded and receive as well a vaccination grant. There is also a contribution by Government of one-twelfth of the land cess, but that is not for any specific object; it is a contribution for the general purposes of the Board.

38947. Is that all the Government assistance that they get?—Yes.

38948. That being so, do you think the Government comes adequately to their assistance?—I see no reason why for purely local matters we should make demands on the Government of India. Education possibly is a matter of more than local importance; you might in education demand a further grant, but not in the case of local Public Works, or medical relief, or veterinary improvement.

38949. Would the criterion be whether they had enough money to carry out the work efficiently; apart from education, which I suppose might be considered to be capable of absorbing almost an inexhaustible sum, have they got enough funds at their disposal to-day to keep their roads in a reasonable state of efficiency, to keep up a reasonable number of dispensaries, and any other Public Works which are necessary for the district and which are defrayed out of these funds?—Speaking as a District Officer, I should like to obtain more money; but, if you look at the matter from a reasonable point of view, we have a fairly sufficient amount of money for roads, having regard to the development of the district, the amount of traffic, and so on. We are a frontier district of course.

38950. The real thing would be to give them some more money for education?—I should like to see more money for education; I could devote it to the opening of a good many schools in my district which at present are not opened for want of funds.

38951. Would it be practical politics to increase the local cess for the purpose of developing education, or is it pitched at such a high figure that it would be undesirable to augment it?—I do not think we should augment it; it would occasion discontent.

38992. So that if anything is to be done you must fall back on the Government?—Yes.

38593. Are there committees of the District Council representing the various *tahsils* on the District Board?—No. The sub-committees of the District Boards are appointed for certain definite departments; there will be a sub-committee for finance, a sub-committee for Public Works, and a sub-committee for education; but, as a matter of fact, the official members are the backbone of the District Boards, and these sub-committees are merely appointed in response to pressure from above.

38954. How often does the District Board meet?—The District Board meets about six or eight times in the year; the municipality has a meeting once every month.

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38955. Do the members attend pretty regularly?—Fairly regularly; there is a certain fixed quorum which has to attend, otherwise the resolutions are not valid.

38956. One of the witnesses told us yesterday that in the past twenty years he had been extremely scanty in his attendance at meetings because he had been too busy; does that apply generally?—No; not generally.

38957. You would not recommend that *tahsil* Boards should be appointed?—No; I would not extend the powers of the District Boards at all at present.

38958. You would not have even local committees of the District Boards?—I think they are superfluous.

38959. From the point of view of efficiency, or from the point of view of developing public interest?—From the point of view of efficiency. As regards the point of view of developing public interest, it is a moot point whether public interest is developed by the fact that a man is called a member of the Sub-Committee on Finance.

38960. Are people ready enough to go on the District Board for the sake of gaining whatever distinction can be gained from the title of member of the District Board?—Yes; in the vast majority of instances that is the sole reason why they wish to be appointed, because it is a distinction, and carries a certain amount of honour with it.

38961. But the work interests them little or not at all?—Exactly.

38962. Is there any remedy for that?—Only the general spread of education; as the people get more educated they will take a greater interest in those matters. If a man is entirely illiterate, he can hardly be expected to take great interest in matters of administration.

38963. Is it a possible remedy to give them more responsibility gradually?—You mean to educate them up to it—that is certainly the attitude of the Government.

38964. To educate them up, not in the abstract, but in the concrete, by giving them definite pieces of work to carry out?—I have tried that system off and on for six or seven years, but I have not found very much result—not in the case of the Pathan community; Hindus are more advanced and better educated; it is possible, no doubt, to stimulate their interest by those means.

38965. You think that in this province, at any rate at present, very little result could be hoped for in that direction?—Exactly so.

38966. With regard to your powers of appointment and so forth as Chairman of the District Board and Chairman of the municipality; can you make fresh appointments without Government sanction, or create new posts?—I cannot create new posts without sanction of the committee or the District Board; and a schedule of establishment in the case of the committee has to be submitted annually for the approval of the Revenue Commissioner. The clerical staff of both local bodies has been decided recently by the Revenue Commissioner.

38967. Not even the post of a peon?—No; that has to be sanctioned in the same way.

38968. Would it be desirable that you should have powers of creating new posts, subject to budget provision, up to a certain small minimum?—I think I might have that power. Then again the question arises in respect of increasing the powers of local bodies with regard to appointments whether or not you are dealing with an amenable local body or whether you are dealing with a local body which is not amenable. By "amenable" I mean a local body which is willing to listen to the directions of the Deputy Commissioner and to do what he proposes. You might have a case in which there was a recalcitrant body, men inclined to make appointments of friends and relations, and appointments for reasons entirely unconnected with the benefit of the district. That would entail the possibility of the President having continually to step in and override the decisions of the body, if you were to give it these powers, and that would be undesirable. I do not know that, on the whole, I would increase the financial powers of the District Board at present.

38969. You think they are adequate as they are?—Yes.

38970. Does the budget go up for sanction?—Yes, to the Revenue Commissioner and on to the Accountant-General for sanction.

38971. Does it go to the Chief Commissioner or the Revenue Commissioner?—To the Revenue Commissioner.

38972. He sanctions it finally?—Yes; subject to objections by the Accountant-General.

38973. It does not have to be sanctioned by the Chief Commissioner?—No.

38974. Do you appoint the members yourself, or are they appointed by Government?—They are appointed by Government.

38975. Is that a sound precaution?—I think it is all right; it tends to dignity, certainly, when a man gets his appointment direct from Government; and in the great majority of instances the recommendations of the Deputy Commissioner would be accepted.

38976. (Mr. Dutt.) You have told us that the population of your municipality is about 14,000, and its income about Rs. 50,000?—Yes.

38977. That gives a rate of over Rs. 3 per head?—Yes.

38978. Are you sure of your figures?—I explained that there were certain peculiar local circumstances connected with the district. A Friday fair is held, and people flock in from all parts; we have had many questions on that subject, and much correspondence with Government. It brings in a large income from octroi.

38979. Have you sub-committees of the municipality which work in the different departments?—Yes; we have some.

38980. With regard to education?—Yes; we have a sub-committee on education, consisting of two or three members.

38981. Do they take an interest in inspecting the schools in the town?—As I have said, the Hindu community (and the population of Bannu is three-fourths Hindu) is considerably more advanced than the Muhammadan, and the consequence is that the same apathy which is shown in District Board matters is not shown in my district in municipal matters. The members of the municipality are, generally speaking, more enterprising and more interested in matters of local administration than the members of the District Board.

38982. You said that even the humblest man has the right to send up a petition to the Government of his country if he thinks he is aggrieved; and there have been cases in which action has been taken on such representations sent up by very humble clerks who have been dismissed. The only limit which can be placed upon sending up these memorials or acting upon them will be the good sense of the Government itself; there is no other possible restriction which can be placed upon sending up memorials?—There is always the limit which it is open to Government to impose, of requiring a certificate from the officer appealed against that there is some reasonable ground of appeal.

38983. I am not speaking of appeals, but of petitions sent by post; there cannot be any possible rule to stop people from sending petitions, or to stop Government from taking cognizance of such petitions?—No; you cannot issue rules to that effect, unless you issue orders to the post office to stop all correspondence.

38984. So that practically it comes to this: that so far as sending memorials is concerned, there can be no possible restriction placed, except trusting to the good sense of the officer to whom the memorial is sent?—That is so.

38985. Would not the result be that if you stopped people from appealing they would send memorials?—No. My point is that appeals add uselessly to the work both of local officers and the work of the appellate authorities. In the case of petitions, no extra work would be thrown on Government officers; people might write as many petitions as they chose.

38986. Government officers might or might not take notice of them, is that your point?—Yes; the Government officer who receives a petition might consign it to the waste-paper basket, or he might take action. He is bound to take action, that is to consider and pass orders on an appeal.

38987. You have mentioned certain restrictions; you do not recommend further restrictions beyond those?—No.

38988. The last witness told us that land revenue is collected by the *lambardar* of the village and paid in to the nearest treasury. Is the village collectively responsible for the land revenue due from the village, or is each individual raiyat responsible for the money due from him to the Government?—Each individual raiyat is responsible for what is due from him to the Government.

38989. There is no collective responsibility on the whole village?—It exists, but has never been enforced in any district in which I have served.

38990. Is the *lambardar* responsible for collecting the money from all the individual raiyats?—The *lambardar* or the *lambardars*, as the case may be in each village, have a certain portion of the village assigned to them for collection, and they collect and deposit in the treasury that amount. The *lambardar* himself is responsible, and he deposits it in the sub-treasury or treasury.

38991. Suppose he fails to do that?—Suppose he is unable to do that, the procedure is that he applies to the tahsildar for the issue of a writ or a warrant against the defaulter.

38992. So that practically the system here is the same as in Bombay and Madras—the raiyatwari system; each cultivator is responsible for the revenue due from him to the Government?—Yes.

38993. One witness told us yesterday that so far as the collection of water rates is concerned, some degree of control of the District Officer over the distribution of the water is desirable; what is your opinion upon that subject?—We have already practically absolute control in my district. Recently a certain Act called the Minor Canals Act has been applied to this province; that empowers the Deputy Commissioner to do all things he may consider necessary for the proper control and maintenance and management of the canals which are scheduled in that Act.

38994. Does that include the distribution of water?—It includes the distribution of water, subject to the fact that if you extinguish water rights you pay compensation to the person who loses those water rights.

38995. Does that refer only to minor canals or to all canals?—That refers only to minor canals.

38996. Not to major works?—I have no experience of major works; it refers to minor canals in my district.

38997. I understand that there is a distinction made between what you call A and B forests, one being reserve forest, in which no kind of rights are allowed, and the others being forests in which there are pasture rights and grazing rights and other different kind of rights. Have you sufficient control over the administration of these forests in your district?—I have no forests in my district.

38998. You have some experience of forest administration in other districts in this province?—I had seven years ago experience of forest administration in Hazara, but I do not think my opinion is really of great value.

38999. Besides those primary schools which are maintained or aided by the District Board itself, are there any indigenous schools in the district?—Yes; there are six indigenous and two zamindari schools.

39000. Are they entirely maintained by the people or by the zamindars?—They get a grant-in-aid if they come up to a certain educational standard and have a certain number of pupils.

39001. Do you impose upon them the condition that some sort of secular education must be included in the curriculum?—Yes; they must comply with the demands of the Education Department according to the curriculum.

39002. Are they schools where only the Koran is taught, and before you give any sort of aid do you insist on their giving some sort of secular education?—Yes.

39003. Has that helped to spread primary education?—Yes; I think it is a good system. You grant them a little aid, and you gradually work up the people to

liking education, and you break down the hostile influence of the *Mullahs*.

39004. (*Sir Frederic Lely*.) I take it that you attribute the fact that the Deputy Commissioner has sufficient influence in these parts to the deference which is shown to his office by the people in the province?—It is the deference shown to his office, and also that he is the initiator in most cases of recommendations for rewards and honours and so on; he has a great deal of power in that way.

39005. But whatever the feeling is, in these modern days does it not tend to diminish?—It tends to diminish, not to increase.

39006. As it diminishes will not these rules and technicalities that you speak of tend to press more injuriously?—Yes.

39007. You refer to the numerous transfers of officers, to the smallness of the *cadre* and the limited number of appointments; does that not mean, in a nutshell, that they are owing to the province being an *annexe* of the Indian Political Department?—Yes; that is what it amounts to.

39008. Have you anything to suggest on that subject?—I have nothing to suggest except that you might make the appointments of Deputy Commissioner and District Judge tenable for a certain number of years, as in the case of higher appointments. You might make them tenable for four or three years, as the case might be, and only allow the officer holding such an appointment to take privilege leave or leave on urgent private affairs during that time.

39009. You would couple the acceptance of the post with an undertaking not to ask for promotion even if a place with higher pay were vacant in the meantime?—Yes; that would carry with it, no doubt, the provision that the post should be made attractive.

39010. You have lived among the people for some years?—I have been a District Officer for some years.

39011. Do you travel about in your district?—Yes.

39012. And you know the people fairly well?—I know the people, I should think, very well.

39013. When you have a chance of visiting a village you take the opportunity of enquiring into their affairs and taking a kindly interest in them?—So far as opportunity is afforded me; as a rule I am doing office work.

39014. Do you know a good many of them personally?—Yes.

39015. Is there any reason whatever to suppose that the natives resent an English officer conversing with them?—No, not if he is a Deputy Commissioner; it is a dignity to a native of the district to be talked to by a Deputy Commissioner.

39016. But if he is an Englishman of courtesy and sense, would they not equally do so, whether he was a Deputy Commissioner or not?—No; not always. I am only talking generally and according to my own experience, but in many cases we are no doubt unpopular.

39017. Unpopular in what sense?—Unpopular because we are *kaftirs*.

39018. Do you mean to say that on account of that unpopularity they do not care to associate with us; I am speaking now of the villager?—Of course, one has to remember that the Pathan is a man who is a bigoted and a fanatical Muhammadan, and we are Christians. He will show deference and politeness to you because you have an official position; the Oriental is naturally a courteous man; but no doubt some of them will let their feelings get beyond them, and they would object to you on account of religious and racial differences.

39019. On the whole, you think that if an Englishman does go into a village, the latent feeling in most of them is that the less they see of him the better?—I should say that that is the feeling in a certain number of them, not in the majority.

39020. Would the general feeling be one of resentment?—No, not in the majority of cases. As I say, that feeling would be confined to those people who were more fanatical and uncouth than the others; the general experience when an Englishman talks to a native is that the native is quite ready to talk to him.

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39021. Would it be better and more conducive to real cordiality for Englishmen to keep away from the villages?—No.

39022. What proportion do you think the bigoted people would represent in an average village?—I could not say. The villagers are in the hands of the *Mullas*, and it depends upon the opinion of the latter. In one case you might have a well-disposed *Mulla*, and in another you might have a man who was not well disposed towards the Government.

39023. What would be the general maxim which you would lay down for the guidance of a District Officer; would you say that it would be better for him to keep away from the villages?—No: because I think the mere fact of an official of the Government talking to a man, whether or not his feelings were hostile, would be considered an honour by him, and to this extent appreciated. It is a sign of interest on the part of the authorities, and in any case it is essential that a District Officer should know his people.

39024. But if he thought an officer was a nuisance would it be not advisable for him to keep away?—I do not think so; the honour which he would consider conferred upon him by holding a conversation with you would outweigh in his mind any hostile feelings which he might have towards you at the time.

39025. In a case like that, when an English officer visits a village would there be any danger of his taking sides?—No.

39026. Or would it lead to his even being suspected of doing so?—No.

39027. May I take it that what you have said refers only to this particular province?—No.

39028. Do you know anything about the rest of India?—Very little.

39029. When you speak of bigoted Muhammadans are you referring to the state of things in this particular province?—I am referring to the state of things which exists with the people here who are under the influence of their priests.

39030. Who have, I suppose, a distinct character of their own?—Yes.

39031. (*Chairman.*) Would it not be very unsafe to infer anything from their attitude, as to the attitude of India generally?—Yes.

39032. You said that if a charge was more than six months old the Auditor could prevent you paying it?—Yes; you have to get what is called a pre-audit sanction, except in three cases.

39033. Does that six months date from the time when you receive the charge or from the time when the charge originally accrues?—When the charge falls due.

39034. Do you mean when the bill is presented to you?—Yes, from the date when the charge falls due to the date when the bill is presented to the treasury.

39035. What is the basis of your revenue here—is it on the growing crop?—Various matters are taken into consideration. There are what are called half-nett assets, then there are crop rates, and soil rates, etc., and all these various factors are considered together, and the amount which the people can pay is decided.

39036. Is that settled for 20 years?—Yes; in my particular district it has been settled for 20 years subject to revision at the end of that time. The period therefore is not definitely fixed.

39037. Have you power to make remissions?—No.

39038. Or to make suspensions of revenue?—No; I have no power.

39039. Would it be a dangerous power for the Deputy Commissioner to exercise?—No; it is a power which he ought to have.

39040. At present you have to send to the Revenue Commissioner for sanction?—Yes.

39041. Has not the Court of Wards Act been applied under the Punjab Act?—Yes, but I have no wards in my District.

39042. If any road or other work has to be undertaken have you, as Deputy Commissioner, power to say to the Engineer of whatever grade he may be, "This is the work which must be first taken in hand" or "That is the work which must be first taken in hand"?—At the commencement of each year a budget of major works necessary in the district is framed and submitted to Government by the Public Works Department, and sent to the Deputy-Commissioner for his approval and concurrence. It is then sent to Government, and Government make their own arrangements for allotting whatever money is available for the district.

39043. When those works have been approved by the Government, who selects the order of priority in which they should be executed?—I should say probably it would be the Secretary to Government in the Public Works Department, but I do not know.

39044. Taking the case of two roads sanctioned in your district, who settles which of them is to be commenced first, the Deputy Commissioner or the Superintending Engineer?—I suppose it would be the Secretary to Government in the Public Works Department.

39045. Would he not consult the local people at all?—Yes; no doubt he would consult them, but his voice would be the final voice in settling the matter.

39046. And not the Superintending or Executive Engineer as the case might be, but the Secretary to the Public Works Department?—In the case of any large work; there is a rule in the Public Works Department, with which I am not well acquainted, in regard to the value to which a Superintending Engineer can go in sanctioning works. There are two separate branches of Public Works, the District Board works, and imperial works, which are undertaken by Government.

39047. Are there no provincial works?—We have no provincial budget in this province.

39048. Have you any power over minor works?—Yes; up to Rs. 2,000, I can carry out minor works as the President of the District Board and Municipal Committee. I can also carry out works of over Rs. 2,000, but must obtain the concurrence of the Garrison Engineer as to the desirability of such work and the sanction of the Revenue Commissioner. With regard to imperial funds, I have no power except in the case of some small allotments for repairs of roads and upkeep of buildings.

39049. They are expended under the Secretary in the Public Works Department?—Yes.

(*The witness withdrew.*)

Mr. M. F. O'DWYER was called and examined.

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39050. (*Chairman.*) You are the Revenue Secretary here?—Yes, since six years with occasional interruptions for leave and transfers—practically ever since the province was created.

39051. In addition to the Revenue work what other work in the province are you responsible for?—Land records, agriculture, excise, stamps, registration, and all the minor departments, veterinary, District Boards, and municipalities, and I exercise the control of a Commissioner of a division. Also, as Secretary to the Chief Commissioner, I take his orders with reference to the working of those departments.

39052. Directly, and not through the Chief Secretary?—No, I act as Secretary in regard to all matters which are in my own departments.

39053. The last witness stated that the Revenue Department was responsible for the issue of something like 6,000 circulars in the course of the last six years; did most of those circulars emanate from your department, or were they passed on to you by the Government of India?—I think I can pride myself on not having issued six original circulars since I took over charge. Most of those circulars were forwarded from the Government of India in various branches of land



revenue, excise, irrigation, and other departments, the working of which has been under the consideration of the Government of India in recent years; they have revised their policy and issued fresh instructions which have been communicated through me to the various local officers.

39054. Have you passed them on more or less intact?—No; very often I have to sit down for days in order to see how I can best explain the orders I receive, and make it feasible for the local officers to give effect to them.

39055. Do you mean to say how they can be made intelligible?—No, they are intelligible enough, but very often one has to assist even the Heads of our local machinery by embodying these orders in a form in which they can be given effect to, say, by a patwari on a salary of Rs. 10 a month.

39056. Where do most of these 6,000 circulars issue from?—In late years I think the Agricultural Department have been most active, because they have to deal with questions of land revenue policy and irrigation, which are of primary importance in an agricultural province like this, and to a less extent the Finance Department have issued many circulars in the matter of excise. The Director-General of Statistics has also been very active and his demands are often the most difficult to comply with.

39057. Have they gone into great and unnecessary detail?—No; the circulars themselves, as an exposition of policy, are excellent and refer chiefly to the main principles, and, so far as I am concerned, I think they are flawless in their reasoning and logic, but very often there is much cry and little wool. They profess to fix the lines upon which the Government of India is going to act, but by the time you get to the end of a long circular you sometimes find there is very little change really.

39058. But you have to take part in the process?—Yes; in more ways than one. For instance, take the Commissions which come round, so frequently of late years, e.g., the Irrigation Commission; one has to prepare materials for them in the way of explaining the systems of local irrigation which here are manifold; you have to collect statistics showing the system of working, the system of annual clearance, the system of collecting revenue by the Canal Department, and you have practically to break the back of every enquiry in the first instance for the Commission. Then the Commission comes and sits down for several days, and one has to place the materials before it; after that it states its conclusions, which are discussed by the Government of India in a series of very elaborate Resolutions which are sent down to you again. The Government of India says that they propose on the report of the Commission to issue certain orders, and then you have to go over the whole ground again in the light of the general conclusions arrived at, and when a final decision has been arrived at the local work really comes in, and you have to see how you can give effect to those Resolutions.

39059. But that does not account for a thousand circulars a year?—No, and I can recollect some circulars which have had the very best results in clearing the air, for instance, with regard to excise and education, and as regards the Agricultural Department.

39060. But then there are these smaller matters which must be dealt with?—Yes; there are smaller matters such as the issue of rules under the Poisons Act, and rules as to carbide of calcium, which involve, of course, a certain amount of clerical work, because one has to read them all.

39061. Is the number of circulars to which the last witness referred and of which he gave an actual figure approximately correct?—I should hesitate to say so.

39062. Would you doubt its being correct?—Everything or general application that goes through my office, which is the usual channel of communication for most Deputy Commissioners, is issued in the form of a circular letter or a circular endorsement, and it is quite possible that the figure is correct, but I should say it is put much too high. The number does not come to as many as three every day.

39063. The note of the Local Government suggests that there has been a tendency on the part of the Government of India to limit their discretion in certain

matters; have you found that that applies to your department?—The few specific instances mentioned here are instances which came within the department which I administer and were noted by myself; one was a matter as to excise, and the others were matters as to land revenue policy and matters in which we had correspondence with the Railway and Telegraph Departments. It is the two latter departments and the minor departments that show most rigidity and least regard for local views and needs.

39064. You have been here six years; do you find that you have a freer, or a less free, hand than you had when you first came into the province?—We have a freer hand. While we were a young administration on our first legs the Government kept us very much in leading strings, but after a time they gradually enlarged our powers.

39065. Do you feel that you can act more on your responsibility than you could formerly?—Yes; one feels that the Government of India is always willing to accept one's proposals when they are reasonable and when you can show good cause for them, and will give the funds to carry them out. I have never had any reason to complain with reference to matters with which I deal.

39066. You have no permanent settlement in this province?—No.

39067. Do you live from hand to mouth?—At present, yes; we send up an annual budget to the Government of India, they put certain funds at our disposal under the usual budget heads of income and expenditure, and we have to carry on the administration of the province during the year with those funds.

39068. You have no power of re-appropriation from one major head to another major head?—No; only for certain purposes; we have no reserve, our finances being entirely imperial; the Government of India say, "We will allow you sufficient allotments under each head of expenditure, and we will not allow you any reserve," the result being that we have to go to the Government of India for any increase, however small. We are allowed to increase our expenditure up to a total of Rs. 3,000 per annum, but directly we exceed that limit we have to go to the Government of India for special sanction unless we can reduce expenditure in some other direction.

39069. As a rule, is the amount you budget for every year exceeded?—No, not as a whole.

39070. How do you have to apply for sanction?—Under certain heads the total is never exceeded. It may happen in one year that some new expenditure is thrust upon us, and we have to revise some part of our budget.

39071. Generally are your estimates within your budget expenditure because of your own exceeding carefulness, or is it because the provision made by the Government of India is really ample for your needs?—In the ordinary civil departments the provision is ample. When we require any increased establishment and make out a good case for it, the Government of India is usually willing to sanction it, on condition that we can provide the funds by reappropriation, and now and again in a big case they would be willing to give an extra grant; but one has to watch the Government of India very carefully in framing the budget proposals which come up from the Accountant-General. When you get a copy of the Government of India notes, unless one is very careful, one is likely to be misled. The Secretary of the Government of India disposes of the budget with reference to the past actuals. He says, "Under certain departments your average expenditure has been Rs. 30,000, which you propose to raise to Rs. 50,000, but we will only allow you Rs. 35,000;" then you have to point out that in consequence of the Government of India having sanctioned certain schemes in other departments your expenditure will be increased, and you must be quick enough to explain these things in time, i.e., while the budget is under consideration; then you get what you want, otherwise you do not. In the Public Works Department, for instance, the budget is very much cut down, and Public Works run the risk of being starved, but on the whole I have never had to complain of any cutting down in the civil budget, which I could not, at all events, get reversed by explaining the circumstances.

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Mr. M. F. O'Dwyer. 39072. From your point of view, can you with advantage delegate any of your powers downwards?—Yes, I think so, with great advantage.

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39073. We have been told by one of the Deputy Commissioners that in theory they have no final power at all with regard to any revenue matters, although in practice there is no doubt that they do exercise final authority—would you agree with that description of the limitation of their powers?—In regard to revenue matters Deputy Commissioners have a considerable discretion if they care to use it; for instance, in the matter of suspensions of revenue, both the Deputy Commissioners stated that they had no power of suspending or remitting. They have the power of suspending, but they must report for the information of the Commissioner.

39074. What powers have they really got?—Up to any amount that may be required provided they report the thing at once for confirmation of the Commissioner; but the initiative may be taken by the Commissioner. Similarly if it is necessary to remit revenue, the Deputy Commissioner can at once suspend and then report the matter.

39075. Can he suspend up to any extent he thinks necessary?—Yes.

39076. Would you give him powers of absolute remission?—That is a matter which we have had under discussion with the Government of India, and it is one of the points I refer to in the case of the deterioration of holdings which now and again takes place in this province owing to saline irrigation. At present, if the resources of a whole estate are deteriorated, action can be taken to reduce the revenue of that estate even within the term of settlement, but the orders do not go to this extent if only individual holdings have deteriorated; those particular holdings may suffer very much, but they may not be such as to affect the resources of the whole estate, and we suggested that the Deputy Commissioner should be given authority to take the initiative and report on the deterioration of holdings, without reference to the Local Government and send up proposals on which the Local Government or the Revenue Commissioner would take action.

39077. You are not at present prepared to grant to Deputy Commissioners the power of remitting revenues?—No; I would give them power to make proposals, but not to remit.

39078. No matter how small the remission might be?—No, not in the fixed revenue.

39079. We are told that the Local Government cannot utilize the savings of salaries of Gazetted Officers for transfer to other sub-heads, what are the objections to their exercising that power?—I do not know; I think probably it is a head under which there might be considerable savings, and it would be putting a large amount at the disposal of the Local Government.

39080. Would that be a valid objection?—I think not; if a certain sum has been placed at the disposal of a Government, whatever the head under which savings may occur, they should be allowed to utilize them for expenditure under another head.

39081. (Mr. Hichens.) With regard to Article 278, Civil Account Code, to which you refer, does not that only apply to imperial heads?—Yes; but as our revenue is entirely imperial we are bound by it, but proposals to provincialize our finance are pending.

39082. In the statement as to general administration, it is stated that the province should be given a provincial settlement, or quasi-settlement, on somewhat the same lines as Baluchistan, and then it proceeds: "We shall then be on the same financial footing as other Local Governments, and the question then arises how far the present financial powers of Local Governments should be extended." I assume that the recommendations which follow are the recommendations which you would make if you had the ordinary powers of a Local Government?—Yes.

39083. If you had the ordinary powers of a Local Government would you still want to make the recommendations to which you refer under Article 278?—Where the funds are provincialized there are certain heads of expenditure which are kept imperial, and these remarks refer to those items, I fancy, where the charges are imperial.

39084. Do the revenues collected in the province cover the expenditure?—No; the revenue is roughly about 37 lakhs and the expenditure is about 62 lakhs, but excluding political and Public Works expenditure the revenue and expenditure pretty well balance. The political expenditure is heavy owing to the border police, and militia corps, but both that and the Public Works expenditure are largely incurred on imperial objects.

39085. What particular advantage would you derive from a quasi-permanent settlement?—We should have these large powers of reappropriation which we have not to-day; we should have a power of creating new appointments, fresh establishments; and all the references which now have to be sent to the Government of India would be done away with, and we should have a freer hand in utilizing savings, making local improvements and making larger grants with regard to minor irrigation works and Public Works generally; also in the departments which have been started during the last three or four years, agricultural, veterinary and so on, we should have more freedom.

39086. With regard to the further powers which you would require, assuming that you had a quasi-permanent settlement, are there any of them that are particularly important?—Do you refer to the remarks on "contingent charges"? As a matter of fact, within the last six months the Government of India has sanctioned a very large delegation of powers. Under the Civil Service Regulations at present very few of the powers of the Local Government can be delegated to subordinate officers without reference to the Government of India, and Local Governments for the last year or two have raised the question of delegation, with the result that they have got the sanction of the Government of India to a very large system of delegation of powers to Heads of Departments.

39087. How far are you prepared to delegate downwards from the Local Government; would you delegate more than you do to-day?—Yes, our powers of delegation have been so far hampered by the fact that the authority of the Government of India is required. The Government of India have themselves taken the initiative of delegating powers very largely; for instance, with regard to the pension of a police constable entitled to Rs. 2-8 a month, that goes from the Superintendent to the Inspector-General, then to the Accountant-General, and from the Accountant-General to the Chief Commissioner. The Government of India have amongst other things now sanctioned a delegation of authority by which an officer who can appoint to a vacancy can also sanction a pension, occurring in that vacancy, to Non-Gazetted Officers.

39088. Do you think that substantial delegation could be made under the Public Works Code?—I have not a very accurate knowledge of the Public Works Code.

39089. Taking the Civil Service Regulations and the Civil Account Code, would you be in favour of delegation?—I think one must make definite and accurate provisions for the guidance of subordinate officers who have to work these codes, but I think the Heads of the Accounts Departments should be relied upon to work them in a broader and more elastic spirit. If you have a code of departmental rules on an intricate subject like finance you must more or less provide for all the cases as they arise, and the difficulty about the code at present is that you have no introduction to it giving an explanation of general principles before coming to the rules which would enable one to comprehend them.

39090. Would it act if the Government of India laid down general principles, and left the Local Government to frame its own rules?—The Accounts Department and the Finance Department of the Government of India have to run on the same lines for all India, and I fancy they would not tolerate any local differentiation which would affect their system of finance or accounts.

39091. Are any local circumstances likely to affect the keeping of accounts?—No.

39092. It is rather in other matters, such as regulations governing travelling allowances and matters of that sort, where it would be possible for certain general principles to be laid down and where it would

be possible for a Local Government to frame rules on such general principles—would you be in favour of that?—Very much; I can give you a typical instance. The Deputy Commissioner of the Dera Ismail Khan district goes to a little hill station about 4,000 or 5,000 feet high, where he occasionally spent some of the hot weather. While there some disturbance broke out trans-border about 50 miles away and he was wired to proceed in hot haste to the place. He went there and got back, and it took him about four or five days altogether; he sent in his claim for travelling allowance which the Accountant-General refused and pointed out that there was a general rule in the Civil Service Regulations (Art. 1112) that if an officer went to a hill station for his own comfort he could not draw any allowance for any journey he might have to make from that place to another and back. The officer in question pointed out that he had not charged anything for going to the hill station, but that being there, he was ordered to go somewhere else, but the Accountant-General replied that he was not entitled to any allowance because he had started from the hill station. That is a typical instance of the rigidity which is exercised in most matters.

39093. Was that not a matter which any Local Government might settle for itself?—If the Local Government had passed the charge the Accountant-General would have been bound to question its action and call for a reference to the Government of India.

39094. Was that matter referred to the Government of India?—No; the officer went away on leave as a matter of fact shortly after, and he probably lost interest in it. He fought the Accountant-General for a long time and had the pleasure of a long wordy discussion with him, and there the matter rested.

39095. Supposing different interpretations were given by different Local Governments in such matters, would it interfere with the stability of the Empire, or affect the efficiency of the administration as a whole in any way?—No; I think not.

39096. With regard to other matters of that sort, for example, in regard to the housing of Government officials, would it be perfectly possible to lay down general principles?—Yes.

39097. And to allow any Local Government to apply them within the spirit of such general principles?—Yes; it would be very desirable, and we have had correspondence with the Government of India in matters of that kind. Some of our Sub-Divisional Officers in this province are in charge of sub-divisions far away from any town where it is impossible to obtain furniture; houses are built by Government and rent is charged for them, but when an officer arrives at a house very often it may have been untenanted for six months and the last man who was there has taken his furniture away. In one case of the kind we applied for permission to furnish a house and after a discussion in Council the proposition was finally agreed to. Of course it was a breach of the Public Works Code, but the matter was carried through by the personal intervention of a Member of the Council who pointed out the hardships involved—Rs. 2,000 was spent in furniture and the particular officer in question agreed to have it added to his rent. We thought that we had created a precedent and endeavoured to do the same thing in the case of another officer, but the Government of India would not agree, and pointed out that no further departures could be allowed, and they were reluctantly compelled to refuse our request.

39098. Is it not incidents of that sort that led to bickering between provincial Governments and the Government of India, and are more likely to lead to bad feeling than the discussion of bigger subjects?—Yes.

39099. And therefore if one could throw a good many of these matters on to the provincial Governments it would be worth while from that point of view and would establish broader and more generous relations between them and the Government of India?—Yes.

39100. Even, therefore, if the absence of uniformity produced certain slight disadvantages might it not be worth while to run that risk?—Yes; I do not think it is a matter in which absolute uniformity is desirable.

39101. Would you say the same thing would apply with regard to the salaries in the Provincial Service, that is to say, that it does not really matter from the point of view of uniformity whether an Assistant Surgeon, for instance, is paid at the same rate throughout the whole of India or not?—I do not think it matters at all.

39102. And within certain limits the provincial Government might have power to pay whatever salary it thought fit?—Yes. Would you have a Local Government fix the scale itself without reference to the Government of India?

39103. What I mean is that they should be allowed to fix the scale and alter it if they liked quite independently provided they paid the salaries out of their own income?—I think that is a matter as to which as regards the Provincial and perhaps also Subordinate Civil Service the fixing of a general scale ought to remain in the hands of the Government of India. They are in the best position to judge of the relative necessities of the various parts of the Empire, and you might get an extravagant Local Government with a large surplus in one place making use of it to raise the pay of Deputy Collectors and so on in a fit of generosity, so that it is necessary in matters of that sort that the control should rest with the Government of India.

39104. (*Mr. Dutt.*) Going back to the case you mentioned just now with regard to an officer (travelling from a hill station), was not the Accountant-General perfectly right in taking the objection, the rule being there?—I think it is a matter in which the Accountant-General ought to have discretion.

39105. The rule said that an officer coming from or going back to a hill station should be entitled to no travelling allowance, and if the Accountant-General has to interpret the rule strictly he would have to say, "This officer coming down from a hill station is entitled to no travelling allowance;" would not the remedy in that case lie in giving the provincial Government a discretion in particular instances, that if sufficient reasons were given they should be empowered to grant travelling allowances in such cases?—Yes, it would be a very good thing, but it is contrary to the policy of the Government of India.

39106. When you frame a rule, especially in the Accounts Department, is it not the principle that whoever the custodian of the accounts may be, he is bound to interpret the rules literally and strictly, and if any exceptions are required, they should be made in the rules and not in interpretation?—Yes, but you cannot have a rule wide enough to cover every particular instance which arises, and there might be an enabling section providing for circumstances which might arise, and allowing the Accountant-General to interpret it.

39107. Would you empower him to depart from the literal interpretation of the rule?—Yes.

39108. Would you not give that power to the provincial Government?—Both are good ways of arriving at the desired result.

39109. You appoint all the tahsildars and naib-tahsildars in the province?—Yes, except those in the trans-border appointments; they are appointed by the Chief Commissioner on my recommendation.

39110. What is the class of men you select for tahsildars?—I should think half of them are men who have risen from subordinate revenue appointments, and about half are men who are recruited direct, having served as naib-tahsildars—men of good family and social position and possessing good educational qualifications. Practically nearly every family of any importance in this province is represented among the tahsildars and naib-tahsildars, and about half, or perhaps a little less than half, are men recruited from the Subordinate Service.

39111. Do you recruit from the Subordinate Service, very low down—are they men who have begun at Rs. 10?—No, we are able to insist on a very much higher standard of qualification than that, because the appointments are much sought after.

39112. On the whole, do you get men of the kind you desire both with regard to ability and education and integrity?—Yes, the standard here is as high as in any province of which I have any knowledge.

*Mr. M. F.  
O'Dwyer.*

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39113. Are they entrusted with civil and criminal and revenue powers?—Tahsildars have civil and criminal and revenue powers, but naib-tahsildars have only revenue and criminal powers, very rarely civil. Tahsildars have a certain amount of civil work as to which a maximum is fixed.

39114. What is the pay of a tahsildar?—From Rs. 150 to Rs. 250.

39115. And that of naib-tahsildars?—From Rs. 60 to Rs. 100.

39116. Have you also the power of transferring them from one district to another?—Yes.

39117. The District Officer has not that power?—No, but if he suggests that a man should be transferred and there is reason for it, I generally act on his suggestion.

39118. Has keeping them on a provincial list a good effect on the Service?—Yes, it would be impossible to work it on any other system.

39119. If you allowed a District Officer to appoint his own tahsildars would you get the same class of men?—No, the wider the field of selection, and the wider the area over which they are employed, the better men you get.

39120. Are the men in the Provincial Service appointed by the Chief Commissioner?—Yes.

39121. Have you power to transfer them?—No, the Chief Commissioner transfers them; the only appointment in the Provincial Service as to which I am consulted is that of the Revenue Assistant. I am generally asked to consider the suitability of such men.

39122. But even then the appointment is made by the Chief Commissioner?—Yes.

39123. Is that a good rule?—Yes.

39124. You do not suggest that the power should be transferred from the Chief Commissioner to you?—No, but I think generally as regards all transfers the Controlling Officer should be more consulted; I am not speaking specially with reference to this province, but with reference to administration generally the system of working transfers of officers direct by the Secretariat without reference to the Heads of Departments is, I think, an evil one.

39125. Provided they are consulted, do you think the power should be left with the Head of the Government?—I think so.

39126. I understood from a previous witness that the main portion of the income of the District Board comes from a local rate?—Yes.

39127. And that that income is supplemented by certain grants made by the Government?—Yes, Government gives a share of what used to be the famine cess. The local rate formerly was roughly 10 per cent, which included 2 per cent for the famine cess. This 2 per cent. went to Government, but the Government, two or three years ago, abolished the famine cess, but gave a sum equal to it to the District Boards which thus received an addition of one-fourth to their income because the famine cess was a fourth of the local rate.

39128. When you speak of 8½ per cent. what is it 8½ per cent. of?—It is a twelfth of the land revenue; it is a fixed proportion.

39129. Is it levied with the land revenue?—Yes.

39130. The land revenue is settled for 20 years?—Yes, we have just completed a settlement for that period.

39131. Who was the Settlement Officer?—We have various Settlement Officers. They are men with about 10 to 12 or 15 years' service.

39132. Is there any officer here of the rank of Settlement Commissioner?—I was in charge myself; after the separation from the Punjab the work was under the Punjab Settlement Commissioner, and as the work progressed it was transferred to the Revenue Commissioner of this province.

39133. Were there any appeals from the order of the Settlement Officer?—There were a certain number in Hazara; out of 900 estates there were about 80 or 90 appeals; in Bannu and Kohat about 5 per cent. of the estates appealed; in Dera Ismail Khan less than 1 per cent.

39134. Were they decided after the rates were proclaimed?—Yes.

39135. Under the rules could you take cognizance of them and dispose of them on their merits?—Yes.

39136. There were no further appeals to the Chief Commissioner?—No, I think a few petitions were sent to the Chief Commissioner which he took no action on.

39137. Is the general policy laid down that the revenue demanded should not be more than one-half the nett produce?—Yes, one-half of the nett assets or nett rental.

39138. Were you careful to observe that in this province?—We calculated the rental as well as we could, and I should think that the Government demand varies from a twelfth to an eighth of the total produce in the recently assessed districts; in most of our recent settlements we took something like 50 to 60 per cent. of the half nett profits.

39139. You make the collections according to crop-estimates?—We have cash leases, but we have not many cash rents; where you have cash rents you base your land revenue demand on the statistics of the rents, but we have not those in this province; the landlord generally takes a share of the produce and not a cash rent.

39140. Is the system prevailing the raiyatwari system; is every cultivator responsible for the land revenue to the Government direct?—As a matter of fact, the Deputy Commissioner of Bannu made a mistake; he said that every individual landowner is directly responsible; so he is, but every estate or revenue unit is also responsible; the joint responsibility is rarely enforced, but it is there in case of emergency.

39141. So that it does come practically to what he said, that every man is responsible for his own revenue, but that if he did not pay, then Government could come upon the whole village, which is very rarely the case?—Yes, I do not think I remember an instance of it.

39142. Are there major and minor irrigation works in this province?—Yes.

39143. Are they both imperial?—Yes, and we have another class of work called local works. Most of the irrigation works of this province were made by the people, and most of the canals existed prior to the British rule; in those cases we have not interfered and have allowed the people to manage the canals more or less on their own lines, but their efforts are more or less centralized and directed by the Deputy Commissioner who has a small agency by which he helps the people to settle disputes as regards the distribution of water, arranging for canal clearances and so on. We now and again carry out certain improvements for the benefit of the people.

39144. And when you make those improvements you do not put on any rate?—Not till the following settlement, but most of our canal irrigation is run on those lines. Then we have imperial canals which are worked by the Canal Department.

39145. Are they big canals?—One irrigates about 160,000 acres, another about 50,000 acres—those are only in the Peshawar district, and one we have recently constructed in Dera Ismail Khan district will also irrigate about 60,000 acres.

39146. Besides those, have you provincial canals?—Yes, we have small irrigation works which now and again we carry out with Government funds.

39147. Who fixes the irrigation rates which you have to levy when Government constructs these canals?—The Chief Commissioner after taking the advice of the Irrigation Department.

39148. You do not get any order from the Government of India?—The Chief Commissioner proposes the rates for the sanction of the Government of India.

39149. Are the rates sometimes changed?—Yes, within the last five years we altered the rate on the Swat Canal, which had been fixed when it was constructed about 15 years ago.

39150. Did you enhance the rates?—In some cases, and lowered them in others, but the whole result was in the direction of enhancement.

39151. Had that to be sanctioned by the Government of India?—Yes.

39152. Are the rates realised by the engineer?—They are realised by the headmen of the villages and paid into the treasury to the credit of the Canal Department, and the *lambardar* who realises them receives a percentage for his trouble in doing so.

39153. Is the rate realized with the land revenue?—Yes.

39154. Is there no case in which the canal rates are levied by the Canal Department?—No.

39155. (*Sir Steyning Edgerley.*) What is the actual process of legislation for this province?—By means of Regulation—by the Governor-General in Council.

39156. Under the Statute of 1870?—Under Act 33 of 1870.

39157. With regard to your reference to the considerable system of delegation in the Punjab, does that refer only to contingent expenditure?—No, it extends to everything; I have not examined it very carefully yet, but the Government of India have sanctioned a very large delegation of powers to subordinate authorities, and the Government themselves have also, within the last two months, delegated very large powers to Local Governments, and allowed Local Governments power to delegate to Heads of Departments.

39158. As regards the Government of India codes, where exceptions are necessary and the Audit Officer interprets the rule, would it be sufficient if the Local Government made the exception and reported his action in periodical returns, in order to allow the Government of India to have control?—Yes, that would be a way out of the difficulty.

39159. What is your actual procedure as regards the budget?—The budget is framed locally by the Heads of the Departments, and is then sent to the Accountant-General who consolidates it.

39160. Who is your Accountant-General?—The Accountant-General of the Punjab is the Accountant-General for this province also; he scrutinizes the budget, sends it back with notes for the Chief Commissioner. The Chief Commissioner passes orders on his suggestions, and he (the Accountant-General) compiles the budget and sends it on to the Finance Department of the Government of India.

39161. Is any date fixed?—Yes; I think our budget goes in by the 15th December. It has to be received by the Financial Department of the Government of India by the 20th January, when the Finance Department goes through it.

39162. Then yours is practically the same procedure as takes place with regard to all Local Governments?—Yes, it is practically the same.

39163. You lay some stress on the power to reward; would you give that power any lower down than the Local Government?—Yes, I see no harm in allowing the Deputy Commissioners power to give small grants; at present the rule is that no new grant can be sanctioned by any Local Government, except during the currency of settlement proceedings. When settlement proceedings are not in hand, the Local Government has practically no power to make a new assignment of land revenue without the sanction of the Government of India, but lately some small extension of authority was given to Local Governments by which they are authorized to give individual grants of Rs. 15 per annum, or a total in value of Rs. 500, to persons who had rendered considerable service in regard to criminal or police administration.

39164. And you think that might be enhanced?—Considerably. I think in the case of a Local Government it is ridiculous to say that it cannot give anyone more than Rs. 15 a year.

39165. Would you extend the power to the Deputy Commissioner?—Yes.

39166. And give the Local Government higher powers?—Yes.

39167. Have you sufficient power with regard to printing here?—We have a small Government Press which deals with more or less confidential papers and Government reports, but otherwise we have to depend on a private press.

39168. Do you send out monthly printed proceedings?—No.

39169. Have you any Gazette?—No.

39170. Would that be a convenience?—I think it would be rather a nuisance. At present we are very well served by the Gazette of India.

39171. Can you send things direct to the Government of India Gazette, or do you have to send them through the Foreign Department?—The only restriction is in regard to postings of officers in this province which are made by the Foreign Secretary; those have to go through the Government of India. In all other cases notifications from the Chief Commissioner and other heads of Departments are sent direct to the Gazette.

39172. Excepting in Khyber and Chitral, the Chief Commissioner makes all your appointments?—The Foreign Department, as a matter of fact, is the Local Government for purposes of appointments, because all the officers borne on our *cadre* are also on the strength of the Political Department; they are part of a bigger body.

39173. They are lent to you?—Yes, but they are still under the orders of the Foreign Department, and all the postings of those officers are made under the signature of the Secretary to the Government of India.

39174. Is that not rather inconvenient?—Yes, I think it is, and it would be a considerable advantage if the Chief Commissioner were allowed to send his notifications of postings direct.

39175. You are the Revenue Commissioner of the five British districts?—Yes.

39176. But you have an exceptionally strong position as being Secretary also?—Yes; for convenience, I do my own Secretariat work.

39177. (*Mr. Meyer.*) We were told yesterday that a great number of transfers in this district were caused by the fact that every cold weather the Government of India in the Political Department sent you four or five senior officers from outside whom you had to provide for, and every hot weather it took away four or five men for work elsewhere; do you agree that that is generally an accurate description?—I think it is fairly accurate, but the postings of Gazetted Officers is a matter that I am really only indirectly concerned with.

39178. But you follow the fortunes of the officers of your province?—Yes, and certainly that tendency has been more marked of recent years.

39179. Can you suggest any remedy for it?—One remedy would be to officer this province with men who had done their training in the province and who had a knowledge of local circumstances, which would practically mean what it was before its amalgamation, a small self-contained Service. On the other hand, the Political Department of the Government of India considered that the system was subject to some disadvantages, and that it might lead to too much localization; they considered it to the advantage of the Political Department, as a whole, to have freedom of transfer and to send people to this province and take them away on the principle of give and take; the principle may be excellent, but in practice it very often lands us in difficulty.

39180. Do you think the present system ought to be accepted with its drawbacks as being the best on the whole, or that something better might be done?—If the present system was worked a little more rationally, and if the Government of India were more careful in the selection of the men they sent here, and consulted the Chief Commissioner as to the men they proposed to send, I do not see that any great difficulty would arise. Unless that is done, I prefer to see more or less localized Service.

39181. It ought not to present such great difficulties from the fact that until you get to the top the appointments are on a system of personal grading?—Yes.

39182. Would it not be possible therefore, barring the appointments at the very top, to guarantee that a man once sent to the province should stay five or ten years or something of that sort?—Yes, but it is in connection with men going on and returning from

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leave that these difficulties arise; they do not quite know where to put the men, and if they see a post vacant in this province they are sent here.

39183. In short, would you like the province to have a sort of special *cadre* for the Political Department though with occasional interchanges?—Yes.

39184. You spoke of having to revise a number of those general circulars of the Government of India, which, of course, relate to India as a whole, to meet the particular circumstances here, and which you have to communicate to the various Deputy Commissioners. Supposing you had a Gazette, would not it be the best method of communicating in with them by publishing the orders in the Gazette and drawing attention to them?—Yes, it would save a certain amount of manual, or rather clerical, labour.

39185. And it would save postal charges and so on?—Yes.

39186. You may be said to correspond to three authorities in the Punjab—the Divisional Commissioner, the Financial Commissioner, and the Revenue Secretary to the Local Government?—Yes.

39187. The Deputy Commissioner, on the other hand, occupies the same position as the Deputy Commissioner in the Punjab?—Yes, precisely.

39188. Might it not be possible, in view of the absence of a territorial Commissioner here, to give the Deputy Commissioner a certain number of powers which in the Punjab you would give to a territorial Commissioner?—As far as powers with regard to judicial and other matters based on particular Acts and Statutes and Regulations are concerned, that would mean considerable alteration in existing Statutes.

39189. Would it not be possible (although it would involve a certain amount of alteration of law) and expedient to depart from the Land Revenue Code occasionally and give larger power to your local officers?—I do not think so, because in this province, the Revenue Commissioner being also the Revenue Secretary, the Deputy Commissioner is able to obtain orders at once, and instead of having to go through three or four stages there is only one; he is able to get orders on any of his proposals without delay. Another matter is that the Revenue Commissioner is supposed to be always an expert in reference to revenue matters, and your Deputy Commissioner has to be selected for his knowledge of general administration or for some political capacity and may have only a general knowledge of revenue matters.

39190. Then, on the whole, you do not think it desirable to give any larger powers in that direction?—No.

39191. Would you give them the power of creating fresh appointments?—No permanent, but temporary appointments, yes.

39192. Would you give them any powers of remission?—No.

39193. But at the same time you propose to give them powers of making alienations of Government revenue?—Yes.

39194. If you make an alienation of Government revenue, is it not just as much a burden on the State as the creation of a clerkship?—Yes, but in the creation of a clerkship there is no advantage gained, while in the creation of a new revenue-free grant you get an advantage; there is no tangible advantage in one case, it is an unfortunate and stern necessity; while in the other case it is a reward for service and a distinct incentive to good work.

39195. Still, it is a national expense, and if you can trust the Deputy Commissioner with the one power, why refuse him the other?—I was thinking of the political advantage to be gained by enabling the Deputy Commissioner to give speedy reward for good work and good services, which justifies a departure from the general principle that no permanent expense shall be incurred except by order of the Government.

39196. Do you get a great number of appeals?—Probably from 400 to 500 in the year; about half those would be judicial appeals, and half executive appeals.

39197. The judicial appeals being mainly under the Tenancy Act?—Yes.

39198. What is the character of your tenures here generally; are they large estates?—No, it is a peasant proprietary organised on a very democratic basis.

39199. Is the witness who was called yesterday, the Khan of Hoti, a big landlord?—His area is not very large, but it is extremely productive; I suppose his revenue from land would be about a lakh of rupees a year.

39200. Is he an exception?—There are perhaps half-a-dozen big men in each district, but as a rule it is a case of small peasant proprietors.

39201. Then how do these land suits come about?—We have a very large body of tenantry as well. About half the cultivation is in the hands of owners themselves, and the remaining half is in the hands of tenants of different kinds.

39202. Are there certain appeals to the Chief Commissioner in these matters?—No.

39203. You are the final authority?—Yes, in revenue matters.

39204. With regard to tenancy law, would a case first come before the Assistant Commissioner?—Before the Assistant Commissioner in most cases.

39205. Then does it go on appeal to the Deputy Commissioner?—Yes.

39206. And then it comes up to you?—Yes.

39207. Is there any class of case where an appeal stops at the Deputy Commissioner?—When the Deputy Commissioner affirms the decision of the first Court, then only an application for revision lies to the Revenue Commissioner, but if he modifies the order, an appeal lies.

39208. Do you get frequent applications for revision?—Probably about a fourth of the 250 revenue appeals which I deal with are petitions for revision.

39209. It has been alleged in other cases, that where a high authority has revisionary powers, it tends to exercise them as if they were appellate powers and constantly to upset the orders of the Court below, instead of merely intervening when some gross irregularity or injustice has been committed; which is the line you adopt in regard to revisionary petitions?—If I saw a revisionary application in which perhaps no material irregularity had been committed, but differed on the interpretation of the facts from the Court below, then I would stretch the law and admit it to hearing.

39210. Practically you treat yourself as a regular Court of Appeal then?—Yes, in certain cases; I think that one is expected to work the revisional jurisdiction in a more or less elastic fashion.

39211. Would you ever get finality if every revisionary authority interfered unduly?—I do not look upon that as undue interference; it is a question of the interpretation you have to give to the expression "materially irregular"; by law you can always interfere if the irregularity is material.

39212. You might make a general distinction; you differ from another officer, but you admit that it may be a question on which he may be right and you wrong; or, you think that he is absolutely and incorrigibly wrong, that he has, as one might say, made a thorough mess of the whole thing; you would revise in the latter case, but would you in the former?—No, unless I saw very clear grounds.

39213. Could anything more be done in the way of giving powers to District Boards and municipalities?—Yes, there are certain restrictions which might be removed, especially in the case of municipalities. At present if they propose to expend over Rs. 2,000 on any particular work, they have to get the sanction of the Revenue Commissioner; if they propose to expend over Rs. 10,000 on a work they have to get the sanction of the Local Government; those restrictions might well be removed.

39214. You see their budget in any case?—Yes; if there is budget provision existing they are the best judges how to utilize it.

39215. The budget would contain a schedule showing the important works, and you think that is quite enough?—Yes.

39216. Do they have to submit re-appropriations to you after the passing of the budget?—Yes, that is a



matter in which there might very well be improvement. At present, if they want to re-appropriate from their balance they have to get the sanction of the Local Government; if they want to re-appropriate from one head to another they have to get the sanction of the Revenue Commissioner. As long as they maintain their 10 per cent. balance, I do not see why they should have to go up to the Local Government for power to spend their own money.

39217. Does the same thing apply to District Boards?—Practically, *mutatis mutandis*, the same thing applies to District Boards.

39218. Is it feasible to relieve Deputy Commissioners of the Chairmanship of municipalities?—No, not in this province.

39219. Would you give them a non-official Vice-Chairman if they could procure good men?—Yes, I think that is very desirable, and in many cases it does exist.

39220. In a city like Peshawar you might occasionally find a good non-official Vice-Chairman?—Peshawar is one of the cases in which there would be some difficulty in having a non-official Vice-Chairman, because the Deputy Commissioner is very often away for months at a time; meetings have to be convened by the Vice-Chairman; it is absolutely necessary in a case like Peshawar where faction is so rife and where you are dealing with a turbulent population, that the Vice-Chairman should be official. In many other towns it would be a step in the right direction to have non-officials.

39221. Are there Vice-Chairmen of District Boards?—No.

39222. Would you have a system of non-official Vice-Chairmen there if they could find suitable people?—The District Boards meet very infrequently, only on an average every two months, and a Vice-Chairman is unnecessary; municipal meetings are much more frequently held.

39223. We have been told that practically the resources of the District Board are all ear-marked except a small balance; they have to put aside so much of their income for education, so much for roads, and so on; is that the case?—The District Board in the case of education has to provide 25 per cent. of its income, and 12½ per cent for medical relief.

39224. Then there is something for veterinary work?—Yes, but it gets considerable grants-in-aid from Government for veterinary and medical relief. The resources of the District Board are very largely ear-marked.

39225. We were told also, that when the District Board merely pays over the money to a Government Department, it has to be spent there; the District Board does not pass its own bills; do you accept that as an accurate statement of the case?—I think the witness was referring to the Veterinary Department; he was referring to all the Departments which receive fixed contributions, but in that particular case he was referring specially to the Veterinary Department.

39226. Let us suppose that under this percentage system a District Board has to pay Rs. 20,000 for education; obviously there are two ways of doing that; they can make the Rs. 20,000 over to the Education Department to be spent, or they can control the spending of it themselves, with the advice no doubt of the departmental officials; which is the course adopted here?—The latter course.

39227. Have the District Boards adequate powers?—Yes, if not deterred by departmental pressure from exercising them. I can mention a case which has just arisen in Kohat; the District Board opened some primary schools; they were going ahead very quickly, and they opened more schools than they were able to provide teachers or pupils for; at the end of a year it was found necessary to close those schools, or to debit the charges to the special Government grant for primary education. The district inspector, as representing the department, pointed out that this was very retrograde and very reactionary, and he tried to make out that the District Board were not doing their duty. There is no doubt that the action of the District Board was quite correct, and it was not challenged really in the result.

39228. If there had been a squabble about it it would have gone up to you?—Yes, the question would have been raised whether the District Board was doing its duty; the District Board was already spending its proper percentage on primary education.

39229. As regards the settlement. Do your settlement reports go through the Deputy Commissioner?—No.

39230. Ought they not to do so?—All the subsidiary matters connected with settlement are dealt with in communication with the Deputy Commissioner; all assignments of land revenue and questions of new establishment; otherwise the Settlement Officer is quite independent; of course he consults the Deputy Commissioner, but he generally knows a great deal more about the circumstances of the district and the people than the Deputy Commissioner.

39231. But the main fact that will affect people is the settlement rates; surely the Deputy Commissioner, who is responsible for the government and peace of the district, ought to have his say as to that?—The Settlement Officer is made responsible for making the settlement a just and workable one, and he is not likely to err on the side of excess.

39232. You think it is a case in which the expert should be trusted rather than the administrator?—It is a good thing now and again. Very often as Revenue Commissioner, in dealing with settlements, I have sent proposals back for the views of the Deputy Commissioner to be ascertained.

39233. Might it not be an expedient general rule to lay down that it should go through the Deputy Commissioner?—If the Deputy Commissioner was an experienced officer and had been long in charge of the district, it would be an excellent rule.

39234. In the Government memorandum it is mentioned that the interference by the Revenue and Agriculture Department has on the whole been a desirable one and has done much good; in other provinces we have been told that the Revenue and Agriculture Department has been specially complained of as thrusting Punjab ideas upon Government and officials that did not want them. Both the Chief Commissioner and yourself are Punjab Officers?—That is so.

39235. What are your powers at present in regard to appointments?—I can appoint naib-tahsildars and tahsildars.

39236. The Local Government has the power of creating fresh appointments up to what limit?—Up to Rs. 50.

39237. And in the case of such appointments you can go up, subject to budget provision, to a total of Rs. 3,000 in one year?—Yes.

39238. You can also alter an existing appointment up to Rs. 250, if you make a corresponding saving in another direction?—Yes, but a saving is generally found impossible in a permanent establishment.

39239. Suppose you got a provincial settlement, and had the same powers as a Local Government in regard to the creation of appointments, you would save an enormous number of references that are now made to the Government of India?—Yes.

39240. (Chairman.) You refer here to the previous sanction of the Local Government being requisite "for the payment of municipal taxes"; is that a general rule?—In the Government memorandum it is put rather elliptically; no recurring charge can be incurred without the sanction of the Local Government, and that is a recurring charge.

39241. It is an automatic charge?—Yes; that is one of the things that has just been delegated.

39242. What has the Accountant-General to say to the delegation of greater powers to Heads of Departments?—All these finance and account matters are rather intricate, and one hesitates to take any step without being absolutely sure of one's ground, and asking the Accountant-General to verify the exact position as regards financial authority, and preparing statement showing what powers are exercised by each authority. Before you can create a new appointment, you have to get a proposition statement; similarly where you propose to extend financial powers you get the Accountant-General to certify the financial position, so as to get a reliable basis to work upon.

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39243. We were told in Baluchistan that the Government of India had forced on the people there the consumption of a certain kind of salt where they much preferred to use the local salt ; you seem to have a somewhat similar case under the head of opium here ; is that so?—Yes ; opium is very largely grown in Afghanistan, where it is the monopoly of the Amir ; it was bought up by some Indian contractors and brought down as far as Jalalabad, and they began to make arrangements for selling it here ; the only market for this opium is in certain parts of British India. As we have had many complaints in recent years that opium is imported here without paying the Rs. 2, a seer duty, I got hold of the contractors and said "The best thing for you would be to store all this opium here in a bonded warehouse and pay duty on issue." We referred to the Government of India about it, because a bonded warehouse could not be established in Peshawar without reference to the Government of India. They refused permission ; they said it was essential to discourage the import of Afghan opium.

39244. Meanwhile it does come in here?—Yes. What we want to do is to get the whole supply here and have it under proper control ; at present it comes in in small samples.

39245. Then the action of the Government of India has not led to any increase in the smuggling of opium?—Except that if we had the whole lot where we could keep it under proper control, instead of being split up into small quantities which we cannot look after, it would be an advantage.

39246. Have you any reason to believe that opium is being smuggled?—Yes, now and again we catch the smugglers ; in the last two or three years we have had

about 20 cases of opium being smuggled into this district.

39247. You have urged that the Deputy Commissioner should have increased powers of giving rewards ; has the Deputy Commissioner any power of making punishments by deductions from the *jagirs*?—Yes, he has very large powers.

39248. Is there any limit to his powers in that particular?—He can only suspend the *jagir*, and he has to report his action to the Government for confirmation.

39249. Can he suspend that up to any amount?—Yes, but he would have to report his action ; it is a course very rarely adopted, but it is occasionally. There is another matter in which the Deputy Commissioner has considerable power ; nearly all our frontier villages along the border have remissions from four to eight annas in the rupee of land revenue for frontier service. The revenue of village is, say, Rs. 2,000 ; if it does its frontier service properly the Government will exact Rs. 1,000 and remit the other half ; if a village makes default and does not exert itself in repelling raids, etc., the Deputy Commissioner can impose that amount which is now remitted on condition of border service. That system is general all down the frontier.

39250. You think the power of allowing the Deputy Commissioner to make deduction from *jagirs* and this other power that you mention, are proper powers for the Deputy Commissioner to have?—Yes ; they strengthen his hands, and give him greater power to deal with sudden emergencies.

(The witness withdrew.)

Adjourned.

## PUNJAB.

## SIXTY-SEVENTH DAY.

LAHORE, *Monday, the 13th April, 1908.*

PRESENT :

Sir FREDERIC LELY, K.C.I.E., C.S.I., *Presiding.*  
 Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.  
 R. C. DUTT, Esq., C.I.E.

W. S. MEYER, Esq., C.I.E., I.C.S.  
 W. L. HICHENS, Esq.

The Hon. MR. E. D. MACLAGAN, I.C.S., was called and examined.

39251. (*Sir Frederic Lely.*) You are Chief Secretary to the Government in the Punjab?—Yes. I am in charge of the following Departments of the Government Secretariat, viz.: Gazette (Appointments, &c.), Political, Special Branch, Financial, Famine, General (Home and Judicial) and Excise. I was till recently in charge of the Revenue and Forests, and have only recently taken over the General (Home and Judicial) and the Excise.

I have no knowledge of general financial questions, and would therefore hesitate to recommend any radical change in the existing system. Provincial independence might, however, be increased (i) by giving Local Governments the same control over all heads of provincial expenditure, whether provincial or shared; (ii) by allowing Local Governments to exceed, if they wish, the budgets sanctioned by the Government of India, subject to the maintenance of the prescribed balance; (iii) by removing restrictions on the expenditure of special grants made by the Government of India.

I would not give borrowing powers to Local Governments. Small loans can be obtained through the Government of India, and large loans would upset the market. Economy will best be served by having only one borrowing agency, and in any case the Local Governments have not the financial advice and experience that the Government of India have.

I would allow the provincial Government to delegate to its subordinates, subject to such checks as it thinks fit, any financial powers it possesses under the Civil Account Code and Civil Service Regulations.

I would suggest that fees to doctors for attending on Native Chiefs and others should be decided by the Local Government.

In revenue matters I would propose:—

- (a) that details regarding the suspension and remission of revenue should be left to the Local Government, subject to the general principles laid down by the Government of India;
- (b) that Local Governments be allowed to make new assignments of land revenue up to a fairly high limit, and that the formal reports to the Government of India of new and renewed arrangements under Government of India letter No. 2594, dated the 21st November, 1892, and No. 2939, dated the 10th October, 1894, be abolished;
- (c) that the 15 per cent. rule prescribed in (iii) of the Government of India assessment rules (appendix I of the Punjab Settlement Manual) should be abolished, and that the provincial Government should have power to sanction assessments up to 30 years (rule x) instead of 20;
- (d) I would remove the restrictions on the provincial Government regarding the sales and grants of land (Government of India Resolution No. 1, dated the 6th February, 1872) except in the case of large grants to private individuals for their private benefit;
- (iii) in commercial matters I would relax the rules for prospecting licenses and mining leases, so as to give the Local Government

more scope in granting these, the Local Government consulting, if necessary, the Director of the Geological Survey direct.

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The removal of existing restrictions can best be effected by notifications published by the Government of India under a general Act of delegation similar to Act V of 1868. It is often advisable that for the first two or three years after the passing of an Act the Government of India's approval should be required for certain rules, and often their approval is required by law for this reason. It would suffice to require by executive order that references should be made to the Government of India for such time as is necessary.

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The influence of the departments of the Government of India in this province has in some cases been in the direction of excessive rigidity or uniformity, in the matter of agricultural returns and statistics for instance, and generally in the matter of financial allowances and the like, and in requiring that the Financial Commissioner should be the Court of Wards in this province because a similar arrangement prevailed elsewhere. In some matters, such as the issue of orders or the principles of collecting revenue, we were called on to send up drafts of the detailed orders we proposed to issue in accordance with the general orders of the Government of India. This was unnecessary, but I cannot say that it led to undesirable uniformity. The behaviour of the Government of India departments in such matters depends largely on the member in charge, and as a rule they treat Local Governments fairly considerately in such matters.

I do not recollect cases in which the Imperial Secretariat took a too departmental standpoint, nor is it, as a rule, too impersonal. At one time it was inclined to disregard personal considerations in matters like the continuance of assignments of land revenue and pensions, but of late years we have had nothing to complain of on this score. Up to some ten years ago the Government of India was much dominated by considerations of revenue. This was due to the tightness of finances, but was, I think, overdone. The same considerations are not so powerful now. I was in the Government of India Secretariat in 1892-1895, and again in 1906, and the change in this respect struck me very forcibly. We still, however, suffer somewhat from the results of the previous policy in matters like the assessment of revenue, the grant of assignments, and so forth.

Directors and Inspectors-General under the Government of India should be consultative and advisory officers only in dealing with departments primarily administered by Local Governments.

It is difficult to fix in all cases on the true originator of a reform in this country, and reforms officially promulgated by the Government of India may have been due to suggestions made by a Local Government or an individual. The bulk of the large recent reforms have, however, been pushed by the Government of India either directly or through the medium of Commissions. In the former class I would put the reforms connected with University education, co-operative credit (though the original initiative in this case was from an individual officer), ancient monuments, the Patwari Cess, and Famine Cess; in the latter the reform of police, irrigation and famine administration.

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Several valuable local reforms in this province have, however, originated locally, such as those connected with riverain boundaries, the descent of *jagirs*, transport animals, and minor canals.

I would not leave provinces entirely to their own discretion in these matters, but more might be done in the way of suggestion and reference to other provinces than at present. In the Punjab we lately delegated a number of powers to Heads of Departments and others, on the basis of similar delegations in Bengal which were brought to our notice by the Government of India. In this connection I would advocate greater inter-communication between the Heads of Technical Departments in the various provinces by means of special visits and conferences.

The powers given to Local Governments to withhold appeals are adequate. There are cases, however, in which the law, or rules having the force of law, lay down that an order of the Local Government or other authority is final, and I understand that the Government of India have in some instances interfered in such cases: this should not be allowed. I would not advocate insistence upon a certificate as to the admissibility of the appeal from the officer whose decision was appealed against.

The present memorial rules allow any officer drawing over Rs. 100 per mensem to appeal to the Government of India against an order of the Local Government upholding his dismissal, removal, reduction or other punishment. Such appeals are rare, and the rule does not appear unnecessarily liberal. I should, however, see no objection to raising the limit to Rs. 250, if this was found advisable to meet the circumstances of other provinces.

The chief appeals to the Local Government on administrative matters are in regard to vaccination proposals, municipal and cantonment taxation, income-tax, &c., and do not give much trouble. Appeals against decisions of boundaries between Native Hill States give considerable trouble, and I think that if both States are petty, the Superintendent's orders should be final unless accompanied by a certificate of the admissibility of the appeal.

The Local Government is not much troubled with appeals from Government officers on personal grounds. A rule such as that recommended by the Government of India in 1898, prohibiting second appeals to Government where the salary does not exceed Rs. 50, would, however, be suitable.

The general principle of section 13 of the Punjab Land Revenue Act is sound, *viz.*, that an appeal should be allowed from an executive order, and that a second appeal should be allowed only if the first appeal does not substantially confirm the original order. The original orders should, however, begin lower down, especially in cases where a Deputy Commissioner now gives orders on a report from a tahsildar, *e.g.*, I would allow a tahsildar or Extra Assistant Commissioner to issue orders appointing, &c., patwaris, *lambaridars* and (after consulting the inspector) *chaukidars*, and these orders should be appealable to Deputy Commissioners. As regards the transfers and appointments of officials drawing Rs. 20 and less, I would allow no appeal beyond the Deputy Commissioner: but I would permit appeals regarding punishments and dismissals of such officials on condition that there was no further appeal. I would allow no appeal against a refusal to enter a man in the register of candidates.

The amount of periodical reporting to the Government of India has not materially increased in the last 20 years, but there has been an increase in the number of periodical returns, and information is more often called for. Primarily this is for the Government of India, though possibly some of it is ultimately for the Secretary of State. Occasionally information is asked for on behalf of Members of Parliament which gives a good deal of trouble.

I have no personal acquaintance with the working of the Court of Wards since the existing Act (II, Punjab, of 1903) came into force: but I am under the impression that a good deal of work under it could be delegated to Commissioners and Deputy Commissioners.

I think we could prepare under certain heads (say, land revenue, stamps, excise, assessed taxes, registration, general administration, Courts of Law, scientific and minor departments, stationery and printing, and civil works) a combined budget of expenditure for each

district, and allow the Commissioner to make re-appropriations from one head, or one district, to another.

There is a tendency to rigidity and uniformity in the provincial Government, but I doubt if it can be called excessive. A certain amount of uniformity is necessary for all good Governments. A delegation of certain powers to Commissioners would be sufficient to give such relief as is necessary. Further relief in the same direction would be given by confining certain Departments (such as Excise, Land Records, Agriculture, &c.) to purely advisory duties in their connection with Deputy Commissioners.

Some of the provincial Secretariats are at times too departmental, but less so than the subordinate officers of the departments, and less so, as a rule, than they used to be. The provincial Government is not, I think, too impersonal as a rule, though cases occur in which consideration to personal feelings might be more than it is. I do not think revenue enters into consideration now to any undue extent, except perhaps in irrigation matters.

Things are done by the departments and sometimes by the Civil Secretariat without consulting the Commissioner on which his views should be obtained. This can be remedied largely by increased vigilance on the part of the Secretariats, but it would be possible to give Commissioner certain powers as regards the distribution of funds for Public Works which would improve his position in this respect, *e.g.*, estimates for new works might be prepared as at present, but a Commissioner might in the case of all but very large provincial works re-appropriate from one department to another within his division after consulting, if necessary, the Heads of the Departments concerned.

Intercourse between Executive Officers and the people is insufficient, mainly because these officers have too much office work. In the case of Deputy Commissioners, I would abolish unnecessary pen work (countersignatures to many bills, proposition statements, suspension statements, returns to advisory departments which are wanted for check and not for statistics, some reports which require remarks, &c.). I would also relieve the Deputy Commissioner of work which is not necessary for him to do, (*e.g.*, by abolishing his responsibility for treasury balances, by letting the tahsildar exercise more powers in petty matters, by not insisting on his trying all session cases, by putting in some other persons as Chairmen of the larger municipalities in certain cases, &c.). And I would strengthen his powers of meeting current routine work by improving the position of his head clerk, and by giving him an Extra-Assistant Commissioner or Assistant Commissioner as a personal assistant who should exercise all the powers, other than judicial, of a Deputy Commissioner.

The average Executive Officer, though he has a fair working knowledge of the language, is not a good linguist. He has to pass an Examination in Urdu, and is expected to pass one in Punjabi. No penalty is attached to not passing the latter, and this is a mistake; but I would advocate no further change in the direction of compelling officers to spend time over languages.

No general increase in the administrative staff seems called for, nor would I advocate any general reduction in the size of districts.

Care is already taken in selecting Commissioners and this should be continued. Greater care will be required in selecting Deputy Commissioners, especially if officers have (as before long they may have) to choose at an early age between the judicial and the executive line. Government should have power to require that officers who have no right to promotion should retire on a reasonable pension. The average age of Deputy Commissioners should also be raised by allowing longer time of service in the country.

Transfers of Assistant Commissioners are pretty frequent, but do no great harm and in some respects do good. Transfers of Deputy Commissioners are more frequent than they should be\* on account chiefly

\* But fewer than they used to be. In 12 of the chief districts of the province there were, in 1898-1907, 139 changes of Deputy Commissioners against 168 in 1865-1875. I may note also that on 1st January, 1908, 13 District Officers had held their districts for over two years each.

(a) of officers being called away suddenly on leave or on other duties, and (b) of efforts made by Government to keep officers contented by transferring them from stations which they find uncongenial. I know of no way to reduce transfers except a disregard of (b), and they can only be carried out to a limited extent.

Transfers of the Provincial Service are due to the same causes as above, and also to the increasing specialization of duties. I doubt if they can be much reduced at present, but when we are able to separate off the Extra-Assistant Commissioners who do civil work only, I would abolish the system of having a Revenue Assistant, and would entrust a sub-division of the district to each Extra-Assistant Commissioner for all purposes, revenue and judicial.

The legal powers of local bodies are fairly large, but in some points I would extend them in practice, *e.g.*, (a) I would increase their powers to sanction works; (b) I would recast their fixed obligation for educational and medical expenditure; (c) I would give more powers to pass rewards, increase salaries and sanction permanent advances; (d) I would authorize the devolution of powers to sub-committees; (e) I would require Government departments to be advisory and inspecting bodies only, without control. I am not able to suggest any extension of the functions of local bodies, except that they should be gradually entrusted more than at present with the upkeep of provincial works.

For District Officers the District Boards and Municipal Committees form suitable Advisory Councils as regards matters lying within their knowledge, and they are already used by some officers for this purpose. Every reasonable Commissioner and Deputy Commissioner takes advice moreover on important matters from the more prominent landowners and others concerned either separately or in bodies, and this practice might be further encouraged by Government, but I do not think anything would be gained by formally constituting any of these bodies into Advisory Councils.

Administrative Councils would, I think, be a mistake.

I would not advocate the extension of the control of District Boards over existing small municipalities, but I would allow District Boards to impose local taxation and control local administration in some of the larger villages which are not municipalities. An experiment of this kind has been commenced in one of our districts.

I do not think any power can be given to village communities as such, but petty civil works might as an experiment be entrusted to local panchayats, and selected headmen might be given petty criminal and police powers.

39252. From the statement of the organization of the Punjab Government it appears that the Inspector-General of Police and the Director of Public Instruction are Under-Secretaries?—Yes.

39253. And that the Head of the Public Works Department, the Chief Engineer, is a Secretary to Government?—Yes.

39254. It is not specifically mentioned that the Inspector-General of Hospitals is either a Secretary or an Under-Secretary. Has he also direct access to the Lieutenant-Governor?—Yes; he is not either a Secretary or an Under-Secretary.

39255. In the case of each of these four officers, have they the right of taking cases direct to the Lieutenant-Governor?—Yes.

39256. Does not the Chief Secretary note on such cases?—Not unless he is asked to do so by the Lieutenant-Governor.

39257. That is to say, cases from each of those four departments, until they reach the Lieutenant-Governor, run along strictly departmental grooves?—Yes. I should make an exception in the case of the Inspector-General of Hospitals, who only reports to the Lieutenant-Governor on paper through the office, although he sees the Lieutenant-Governor and talks to him.

39258. In the case of the other three departments no one has an opportunity of expressing a view outside the department?—Not in the case of the Public Works; in the case of the police, most cases come up through the Secretary.

39259. But if the Inspector-General of Police has direct access to the Lieutenant-Governor, how does

the Secretary come in?—I am not sure on what principle that is worked, but I understand that all questions other than personal matters come through the Secretary.

39260. But, as a general rule, in ordinary cases connected with those three departments, do they go up to the Lieutenant-Governor without having been treated from, what I may call, the point of view of general administration?—Certainly as regards education and Public Works, but not with regard to police.

39261. Is a police case or a Public Works case or an education case dealt with by the Head of the Department, who can take it up direct to the Lieutenant-Governor?—Yes.

39262. In regard to land revenue and excise cases the course is different. That is to say, the Commissioner has to send it up to the Financial Commissioner, the Financial Commissioner sends it to the Secretary, and then it is laid before Government?—Yes.

39263. Is there any reason for so much greater scrutiny in the case of land revenue and excise?—I do not know that there is any reason for the procedure except, perhaps, that the Financial Commissioner has been given very extended powers. The number of cases that come up to Government are not very numerous.

39264. Is there any reason for bestowing more attention on land revenue cases than on police cases?—No; I know of no reason. I imagine the real reason probably for giving direct access to the police, and so forth, is that the Lieutenant-Governor is already acquainted with revenue matters.

39265. Would that not be a reason for diminishing the scrutiny and dispensing with assistance?—Yes, it would; I was rather explaining why the Financial Commissioner was not given direct access.

39266. Does not the very large amount of circumlocution in the case of land revenue and excise add largely to the work?—Yes.

39267. The Chief Administrative Officer in the province is the Financial Commissioner, but he is completely shut out of these four great departments?—Yes.

39268. Practically those four departments are self-contained and do not come into touch with the general administration of the country?—Yes, except the police.

39269. Is not the Commissioner still more narrowed in his sphere, since he is shut out from excise?—Yes, to a large extent.

39270. Then is the general result that in the Punjab he is merely an intermediate and subordinate officer of land revenue?—To a large extent, yes.

39271. The Financial Commissioner controls the Land Revenue Department and also hears appeals. Is he in any sense an inspecting officer?—Yes; he goes on tour.

39272. Is his travelling exceedingly limited?—No, I think most Financial Commissioners travel a good deal.

39273. But he cannot possibly get even a bowing acquaintance with 29 districts in a year or two, or even three years?—No; but he is generally already acquainted with a certain number, and he visits those in which there are pending questions.

39274. When he visits a district, does he only concern himself with his own particular subject?—Yes.

39275. You say that a Financial Commissioner visits the whole province in five years?—I think as a rule he has visited every district in five years.

39276. When he travels about like that, does not his work very much overlap with the work of the Commissioner?—Yes; such inspection work as he does.

39277. What would be the average period of service of a Financial Commissioner—30 years?—Something like that.

39278. And that of an average Commissioner?—The average would be something like 25 years.

39279. So that when a Financial Commissioner goes round a province to see what is being done, it really

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amounts to a man with 30 years' service being paid to inspect the work of a man with 25 years' service?—Yes, and also\* to gain a certain amount of first-hand information.

39280. Does the administration gain by that duplication of work; might not what the picked man with 25 years service can do be well left without the supervision of another man who is only five years his senior?—I do not think any harm is done by the present system.

39281. Do you not think the inspection of the division might be safely left to the Commissioner himself?—I do not think the Financial Commissioner's inspection is a very serious part of his work.

39282. But so far as it goes it is rather superfluous?—It is superfluous so far as checking the Commissioner is concerned, but it is not superfluous so far as giving the Financial Commissioner himself a knowledge of the province is concerned.

39283. Given his superior jurisdiction, you think it is a help to him in avoiding mistakes?—I think so.

39284. Is there any reason beyond what you have already mentioned why the Inspector-General of Hospitals, and the other Heads of Departments mentioned, should go straight up to Government, while the Commissioner needs to be controlled by special officials like the Financial Commissioner and Secretary?—The Financial Commissioner intercepts a great deal of work which would have to come direct to Government, and is able to dispose of it and so relieve Government.

39285. It is rather to assist Government to get rid of its work, than because the average Commissioner needs additional control?—Quite so.

39286. Would not that object be better achieved by associating the Financial Commissioner more closely with the Lieutenant-Governor, and making him more or less a part of the Government?—Yes; I have often thought that he might suitably be given some such position as the Public Works Secretary has.

39287. It would very much enhance the prestige of the Commissioner, which you would admit to be a desirable object?—I do not know that it would make much difference.

39288. But it would make the Commissioner Head of his Department, which he is not at present?—Yes.

39289. And put him on an official equality with those other gentlemen, whereas he is now in an inferior position?—I do not think he is looked on as being in an inferior position.

39290. Does the Commissioner deal with municipalities and District Boards, which matters do not go to the Financial Commissioner?—Yes.

39291. Is there any reason why the Commissioner should be considered to be fitted to deal with them and not with land revenue matters?—No.

39292. Then what is the reason for the exclusion of municipalities and District Boards from the sphere of the Financial Commissioner?—It is mainly that the Financial Commissioner is supposed to confine himself to revenue matters.

39293. I suppose the ground is chiefly historical?—Yes; I think he is meant more to take off the work from Government than as a controller of Commissioners in their work.

39294. Would that not equally apply to District Board and municipal work? They equally need the oversight of Government?—Yes, except that there is a limit to the amount of work which the Financial Commissioner can do.

39295. Then I take it that the division of labour is not upon any fixed principle?—No; I fancy not.

39296. Do you think that there should be one Police Act for the whole of India?—I have not had much to do with the question of police.

39297. Is it possible to make some link between the Commissioner and the police?—We had it for some years, and the Commissioner was treated very much as being in the position of a Deputy Inspector-General of Police but that has been abandoned.

39298. Is it not desirable to associate the Commissioner, if possible, in a general way with police administration?—I think so.

39299. Does not the police administration lie very close to the life of the people, and it is very undesirable that it should be entirely departmentalized?—Yes; I think so.

39300. Can you suggest any means of associating the Commissioner with the police without interfering too much with the ordinary work of that department?—The Commissioner is already associated with them in certain matters; for instance, suppose there is a punitive police force which is to be raised, the Commissioner's advice is taken, and he also sees all special reports of offences, and knows to an extent the conditions with regard to the state of crime.

39301. Are there any recognised means of keeping him *au fait* with the state of crime and order generally in his division?—I am not sure to what extent he sees the statistics as to crime.

39302. Would you approve of giving him a veto on everything, that is to say, make a rule that if the Commissioner objected to any particular action by the Inspector-General, it should be *ipso facto* suspended until the orders of Government were obtained?—Something on that line might be useful, except with regard to merely routine matters.

39303. Would you give the Commissioner a personal connection with the Superintendents and Assistant Superintendents in the way of having confidential reports sent to him?—I do not know that I would.

39304. Might not his opinion, as more or less an outsider, or looking at things from an administrative point of view, be valuable with reference to Superintendents and Assistant Superintendents?—Yes.

39305. And he might be expected to give his opinion every year?—Yes; I think so.

39306. Is he in direct connection with education, both primary and secondary?—I think the only connection he has is in passing the District Board budgets.

39307. Has he no responsibility in connection with secondary education?—Not that I know of.

39308. Do you not think he might have that with good effect, either in the way of being made President of a Board of Visitors to every college, or in other ways being made to feel that he has a definite responsibility in regard to the general management and tone of these important institutions?—I think he should be considered as having a right of access to them, and be allowed to make himself acquainted with their wants.

39309. But if they got altogether out of hand, would you not give him a certain amount of responsibility in the way of finding out what had happened and taking measures to bring things to notice?—I should be quite prepared to give him that.

39310. It has been suggested that a divisional budget of Public Works should be instituted for roads and buildings generally, to be framed by the Commissioner against an allotment to be made to the division by the Central Government. Would you approve of that?—Yes, and I have made a suggestion to that effect.

39311. Is the Commissioner's office strong enough in the Punjab?—No; it is not at present.

39312. Has he a Commissioned Officer as his head assistant?—No; he has merely a head clerk, who has the same qualifications as a district head clerk.

39313. He is not borne on the list of Extra Assistant Commissioners?—No, I think the Commissioner ought to have some assistant of that kind if he is going to be entrusted with extra work.

39314. Have you read Mr. Maynard's evidence?—Yes.

39315. He mentions several important subjects which were decided without any reference at all to the Commissioner. Is that generally overstated?—There is a certain amount of overstatement as regards one thing which he mentions, as to an Act passed without any Commissioner seeing it, because the Act was in the Gazette for many months beforehand.

39316. But is not a Commissioner entitled to some more special reference than that?—Yes; there were special reasons, because the Act only applied to particular parts of the country, and it had been framed by a Committee appointed practically of all the men who knew about it.



39317. Would you say as a rule that a Commissioner is not taken enough into counsel on large matters?—No; but I think cases have occurred in which the Secretariat has overlooked the fact that the Commissioner's advice would be desirable, but that is not done on purpose.

39318. Would you give the Commissioner a discretionary allowance for miscellaneous objects, such as rewards, and so on?—Yes, I would.

39319. What should be his position with regard to remissions and suspensions of land revenue; would you give him full power, or limited power, or any power at all?—I should give him very much what he has now; he can now suspend to any extent, and he can remit up to a certain figure.

39320. Is there any conference of Commissioners with the view of securing unison of action and view, such as there is in some parts of India?—No.

39321. Might not the Commissioner be entrusted with complete powers with regard to remission?—It would be safer to leave things to the Financial Commissioner, because the sums involved are very large sometimes.

39322. You would recognise that one great want in the present day is some means of informing the people as to the objects and intentions of Government?—Yes.

39323. In Madras, Government publishes a simple village Gazette containing appointments and interesting information translated into the simple vernacular; would you advocate an experiment of that kind?—I have often thought that something of that kind might be done, but I have never definitely worked out how it could be done.

39324. Would it be very desirable to take some steps in that direction, if possible?—I think so certainly; we have no means at present of bringing Government measures to the people's knowledge.

39325. (*Mr. Dutt.*) Does the Financial Commissioner occupy very much the same position here as the Board of Revenue in other provinces?—Yes, I understand so.

39326. He has the final power with regard to most revenue questions and the power to pass final orders?—Yes.

39327. And he also is the final authority with regard to many of the revenue appeals which come up to him?—Yes.

39328. What exactly are his relations with the Revenue Department of the Government?—He sends up questions which he is bound by law or practice to send up.

39329. You say that you would allow a provincial Government to delegate to its subordinates any financial powers it possesses under the Civil Account Code and the Civil Service Regulations. Do the Civil Account Code and the Civil Service Regulations define exactly what authority should pass orders in particular matters?—Yes.

39330. If you allow the provincial Government to delegate those powers to subordinate authorities, would that not defeat the objects of the Civil Service Regulations and the Civil Account Code?—I may have put that a little too widely, and there might be some cases in which it would not be advisable, but in most cases you can trust the Government.

39331. But in these cases have they not to receive the sanction of the Government of India, so that the Government of India may decide which power shall be exercised by the Local Government and which power shall be exercised by the Commissioner, and so forth?—Yes.

39332. If you were to allow the Local Government to delegate those powers, would that not defeat the objects of the Government of India?—I was looking at it more in the way that the Government of India would settle what powers it would keep to itself and the rest would be left to the provincial Government, and as regards those which it leaves to the provincial Government, the provincial Government would have a certain amount of discretion.

39333. At any rate the Local Government could not modify the orders of the Government of India without getting the sanction of the Government of India?—No.

39334. So that it would really lead to a general revision of the Civil Account Code and the Civil Service Regulations?—Yes.

39335. You recommend that the rules for prospecting licenses and mining leases should be relaxed; are they too rigid as compared with the same rules in other parts of the world?—I have not studied them for the past two or three years, but that is my impression.

39336. Some evidence has been given, and especially by the Head of the Geological Department, that these rules as compared with the rules in other parts of the world, are very liberal?—That was not the way in which it struck me from the few comparisons I have been able to make.

39337. Mr. Holland, who is Head of the Geological Department, distinctly said that the rules were very much more liberal than in any other part of the world of which he knows?—He has, of course, better information than I have; I am giving the impression I had of some three or four years ago.

39338. You suggest a General Act of Delegation similar to Act V of 1868; Act V of 1868 relates to Sind; do you recommend a General Act of Delegation for all parts of India, for all parts of this province?—Yes, as far as I know.

39339. That is to say, that the Government should have power to delegate its own powers to any of its subordinates throughout the province?—Yes; there may be cases of which I am not aware which should be reserved, but as a general rule that seems the right course to take.

39340. And that delegation should take place by Gazette notifications rather than by amending Acts?—I should prefer notification.

39341. When power has been vested in Government by an Act, is it quite fair to delegate it by an executive order?—What I was taking you to refer to was delegation by the Local Government.

39342. Delegation by the Local Government of a power vested in the Local Government by a particular section of a law?—That power of a delegation would have been given to the Local Government by an Act, and that in itself would be sufficient justification.

39343. The Act gives the Local Government a certain power; is it fair that the Local Government should have power to transfer that power to the Commissioner or Collector simply by a Gazette notification?—Yes, I think so.

39344. We had some evidence before us given in Madras by a Member of the Madras Council that such a general Act of delegation violates the principles of legislation; is there anything in that objection?—No, I do not see that the objection is a valid one.

39345. You speak of the recent transfer of the power of Court of Wards from the Divisional Commissioner to the Financial Commissioner. Do you recommend that the Divisional Commissioner should be the Court of Wards within his own division?—I should prefer that, and also that the Deputy Commissioner should be as regards all but the largest cases. That is what he had with us until quite recently.

39346. Was not this change made on the advice of some of the most expert Punjab officers who were dissatisfied with the working of the old rules?—I daresay some of them were in favour of it. It is not a subject with which I have had much to do in a district or elsewhere; I am only stating that the general impression at the time the change was being introduced was that it was being more or less brought in from outside.

39347. You would not be satisfied if the power of the Court of Wards was left to the Financial Commissioner, and the real working of the Act was delegated to the Commissioner and Deputy Commissioner?—You could do it in that way, but the other would be simpler.

39348. In Bengal and other provinces, the highest revenue authority is the Court of Wards, but the Act is worked by the Commissioner and the Collector; would you be satisfied with that?—I think so, if the delegation is sufficient for them to work it out.

39349. With regard to appeals, you say "The Local Government is not much troubled with appeals from

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Government officers on personal grounds." Are there not very many appeals in this province?—No, there are not very many.

39350. Is that due to the fact that the people are less given to appealing, or that the result of appeals is generally unsuccessful?—We have almost impossible cases appealed to us—cases in which the man can have no possible hope.

39351. I am speaking of appeals on personal grounds? I cannot say what the reason is.

39352. Anyhow, you would leave the rules as they are?—Subject to what I have said that I see no objection to prohibiting second appeals in cases where the salary does not exceed Rs. 50. I do not look upon it as a very essential point.

39353. Have you got sub-divisions in each district? No, only in a certain number of districts. We have never more than one in each district. There are about 13 or 14 districts in which we have sub-divisions; the rest have none at all.

32354. Then there are *tahsils* within each sub-division?—Yes.

39355. How are the Deputy Collectors—the officers in the Provincial Service—appointed in this province?—They are appointed partly by competition, partly by nomination of the Lieutenant-Governor from the outside public, and partly by the promotion of Executive Officers and Judicial Officers.

39356. What proportion of them are appointed direct as Deputy Collectors and what proportion are taken from the Ministerial Service or other lower Services?—Roughly there are about 9 or 10 vacancies every year: 2 are filled by competition, 2 direct from outside, and the rest by promotion.

39357. By promotion from the Ministerial Service?—From the *tahsildars* and *munsifs*, and so on.

39358. Do you think that direct appointments are better than promotions from lower Services, or do you give preference to the other system?—I think we want a little of all kinds.

39359. What is the pay of a Deputy Collector?—He begins at Rs. 250 and goes up to Rs. 800.

39360. Is it free competition, or competition among men who have been nominated?—Competition among men who have been nominated.

39361. Who nominates them?—Some are nominated by the Financial Commissioner or Chief Court, and some by the University.

39362. Has the Government the power of posting these officers and transferring them from place to place?—Yes.

39363. Has the Deputy Commissioner no power of transferring a Deputy Collector from one place to another?—The Deputy Commissioner can not do it.

39364. What is the pay of *tahsildars*?—From Rs. 150 to Rs. 250.

39365. What is the method of appointing them?—They are in almost all cases appointed from *naib-tahsildars*; are appointed by nomination, but they have to possess certain certain educational qualifications.

39366. Have you got a large number of graduates among these *tahsildars*?—Not a large number.

39367. Would it not be desirable to have well qualified men in the rank of *tahsildars*, graduates and other well educated men?—We are getting them now.

39368. You do not make it a condition yet?—No; they have to have passed the Entrance Examination before they become *naib-tahsildars*.

39369. What is the pay of the *naib-tahsildar*?—He begins at Rs. 60.

39370. So that a man beginning at Rs. 60, can work his way up to be a Deputy Collector at Rs. 700 or Rs. 800 later on?—Yes.

39371. Are the *tahsildars* kept on a provincial list or on a divisional or district list?—On a provincial list.

39372. They can be transferred from one district to another or from one division to another by Government?—By the Financial Commissioner; they are usually kept within their division, but they are not bound to be kept.

39373. Within the division has the Divisional Commissioner the power of transferring them from one *tahsil* to another?—Yes.

39374. In irrigation districts, which is the authority which makes the assessment and collection, and distributes the water and does everything else concerned with irrigation?—The distribution of water is done everywhere by the Irrigation Department; the assessment of the occupiers' rates is done in most districts by the Irrigation Department; the collection is always done by the Revenue Department.

39375. Is the rate consolidated with the land revenue and collected with the land revenue, or is the rate fixed without reference to other calculations?—It is consolidated with the land revenue on the Jhelum Canal. The Canal Officers in most of the older districts only assess the occupiers' rates; in the canal colonies they assess the land revenue as well, because the two go on the same principle.

39376. Is that satisfactory?—It has not given satisfaction.

39377. Would you transfer the work of assessment to the Revenue Officers?—That is a very difficult question. If we were starting from the beginning, I should entrust it to the Revenue Officers, but whether, having got so far, I should do it or not, I do not know. We are waiting for the opinions of the Committee that has been sitting on the question of the canal colonies; they have taken up this subject, and we are waiting for their report.

39378. Should the Deputy Commissioner have some control over the Canal Engineer in the matter of distribution?—I think he should have, and he has to a certain extent a power of putting in a protest against the extension of canals which would lead to a readjustment of the previous distribution.

39379. Is the Deputy Commissioner always the Chairman of the District Board in this province?—Yes.

39380. Have you got Sub-Divisional Boards or *tahsil* Boards under the District Board?—We had a great number of Local Boards—*tahsil* Boards mostly, but they have nearly all disappeared now; we have a few left, but not many.

39381. Is the Vice-Chairman generally an official or a non-official?—I cannot say; I have seen both, and I do not quite know which is the more common.

39382. Is the Chairman of the municipality always the Deputy Commissioner?—No, only in the case of the larger municipalities.

39383. And in the smaller municipalities?—There we have either a non-official or sometimes a *tahsildar* as President.

39384. Are there many municipalities which have non-official Chairmen?—I could not tell you the exact number. I do not deal with municipalities in the Secretariat; I am only speaking of my district knowledge of them.

39385. (*Mr. Hichens.*) In the Government note it is suggested that the provincial Governments might have power to pass their own budget; would you explain in a little more detail what is meant by that?—We meant that we should be allowed to settle the amount of provincial expenditure we should have in the year, subject of course to having the required balance.

39386. Obviously the Government of India would have to sanction the imperial expenditure. You would not claim to do that without consulting them?—No, except so far as concerns cases which occasionally arise of re-appropriation.

39387. I am speaking of the original budget; you would not pass the budget in relation to imperial objects, the money for which is found by the Government of India, without consulting them?—No.

39388. With regard to divided heads, would the same thing happen under your proposal?—I think we would have to leave that to the Government of India; it would be possible to do it otherwise, but I do not think it would work.

39389. What you really mean is that the provincial Government should have power to sanction its own budget with regard to matters which it paid for

entirely?—Yes. I am not certain whether we could not also go so far as to say that the provincial Government might sanction the shared heads.

39390. Without the approval of the Government of India?—Exactly, going on the principle that as they would be economical in their own share of the shared heads, they might be trusted to be economical in the Government of India shares.

39391. The budget would be passed by the Government of the Punjab, for instance, and it would be subject to no control at all?—Subject to no control except that we must always leave our balance.

39392. Can you point to any parallel to that anywhere else in the world?—I do not know that I can.

39393. In every colony or country is there not always some outside control?—I presume there is.

39394. Would you be prepared to advocate that unless, and until, your Legislative Council had some power, not necessarily of passing the budget, but of fully discussing it?—I see no great harm in it.

39395. You do not think it would matter giving the Government power to pass their own budget without any control whatever?—I think not.

39396. Is it desirable that the Collector should have power, say, over the Executive Engineer?—No, I do not think he ought to have power over the Executive Engineer in any way as a superior.

39397. For example, if it were a question of what piece of land was to be irrigated or how much water was to be put upon it, the best judge would be the Irrigation Officer?—All the detail work should be left to him; the Deputy Commissioner cannot possibly control that.

39398. Has not the Deputy Commissioner a right to write to the Executive Engineer and suggest that this, that, or the other should be done?—Yes.

39399. His status is such that the Executive Engineer would be obliged to give the suggestion reasonable consideration?—Yes.

39400. If he refused to do what was required, the Deputy Commissioner might write to the Commissioner, and the Commissioner could refer the matter to the Government?—Yes.

39401. So that in the last resort the Deputy Commissioner can always make his voice heard?—He can. The difficulty that has occurred in our recent canals is that the number of cases is very large indeed in which the Deputy Commissioner may have reason to object, not so much to distribution as to assessment. The Executive Engineer himself cannot look into the matter, and they are left to his subordinates, who report them to the Deputy Commissioner.

39402. I take it that assessment is a matter that anybody could do if he knew the rules?—Yes, assessment is not what you would call a technical matter.

39403. But the actual distribution of the water is a very technical matter?—Yes, the system of distribution is technical.

39404. And it is one in which the last word has not yet been said?—No; what the Deputy Commissioner can bring to notice is that people who have had water for a long period are suddenly deprived of it for the purpose of improving the system of distribution, that is to say, from a technical point of view it is perfectly right to deprive them of their water, but the District Officer sees the matter from another point of view, that is to say, depriving them of what is something like a prescriptive right. If he wishes to bring that to notice he is entitled to do so, and he does it.

39405. But in your opinion it would be better if he merely brought the matter to notice without having any power of command?—I would rather reserve my opinion until we see what the Colonies Committee report.

39406. What is your opinion with regard to the relations between the other technical departments and the Deputy Commissioner?—My general view is that as regards purely technical matters they should be left to the department concerned; most Deputy Commissioners are quite ready to do that; but where they impinge on the general administration in any way the Deputy Commissioner's views should be heard, and he should be given the last word in the matter.

39407. You are in favour of giving the Commissioner a budget?—I think so.

39408. Would that include practically all the works and functions of his division?—No; I have specified some which I thought might be done, but it is a matter running to great detail. As to Public Works, for instance, it might be more convenient to leave repairs in the hands of the Public Works Department, but new works might well be left to the Commissioner to decide.

39409. Would that involve an increased establishment for the Commissioner in order to give the necessary financial control?—There would be a slight increase; nothing very much.

39410. What advantage would you expect to gain from that?—That the local needs would be understood.

39411. You mean that the Superintendent Engineer does not understand the local needs for example?—The Commissioner very often has a better idea of the local needs than the Superintending Engineer.

39412. A typical way of submitting the Public Works budget was given us as follows the other day; the Executive Engineer first of all consulted with the Collector; then the budget was sent on to the Commissioner, who went over it with the Superintending Engineer; the Commissioner had the last word, and sent the budget on to the Government. Is that the procedure here?—No, but I cannot recollect exactly what the procedure is.

39413. If that were so, would that give the Commissioner a reasonable control over the objects on which the money was to be spent?—It would give him a fairly reasonable control; my suggestion was more because I thought that in other departments also the Commissioner might be given a divisional budget, and that being so, Public Works might be usefully thrown in.

39414. In revenue assessments are the towns assessed as well as the country districts; do they both pay land revenue?—Only the agricultural land round the town, not land inside the town.

39415. That is to say, land that is built upon pays no land revenue?—That is so.

39416. And it pays no cess to the District Board?—No. It is exempt from both.

39417. Have you any general view with regard to the financial relations which exist between the provincial Government and the District Boards; in the first place, would it be a desirable principle to lay down that they should be provided with independent sources of revenue which are adequate to their needs without Government subventions?—We are trying all we can to do away with subventions on the one hand and contributions on the other.

39418. Is that a sound principle?—I think so, so far as we can do it; we cannot always do it, for financial reasons.

39419. But as a principle it would be sound that they should have certain sources of revenue which they could tap, quite independently, or as independently as possible, from the sources which the Government tap?—I do not say that; it depends in what sense it is meant; the local rate, for instance, is a source which is dependent on the land revenue, it is a percentage of it; that I think they must have; but the other sources that they have should be by direct revenue and not in the way of subventions from Government.

39420. You agree to that as a principle?—Yes.

39421. Would you also agree that it is a sound thing that they should only pay for the works for which they are executively responsible?—Yes, that is a sound general principle.

39422. For example, with regard to police, whether it was a municipality or a District Board, suppose all they did was to pay, that you think would be an unsound principle?—Yes, that was the principle in the case of the police until recently.

39423. It would apply to-day to a very large extent in regard to the relations between the local bodies and the Government?—Yes.

39424. That would require a certain amount of alteration, but you would be in favour of making the alteration as far as possible?—Yes.

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39425. (*Mr. Meyer.*) You deal with Local Boards and municipalities from the financial point of view?—Yes.

39426. The report by Mr. Hamilton on financial relations has been put before us; are you acquainted with that?—Yes.

39427. May we take it that the facts stated in that report are generally correct?—I fancy the facts are generally correct.

39428. To summarise them, we find in the first place that the District Boards do not enjoy their own Land Cess altogether; they have to make over to the provincial Government some 15 or 20 per cent. of it?—Yes.

39429. The Municipalities are burdened with police charges in respect of which they have nothing to say?—That is going to be put right, but it has been the case hitherto.

39430. The local bodies are desired to spend specific portions of their revenue on education, medical, and so forth, and Mr. Hamilton says that though these were originally intended as mere guides, the departments have rather rigidly stereotyped them?—Orders are going to be issued to put that right as regards education; the medical matter is still under consideration.

39431. That is to say, as to education, instead of the Board being required to pay 15 per cent. or whatever it is, of its revenue, it will be able to pay what it likes?—Subject to the general control of the Commissioner over the budget.

39432. Mr. Hamilton also says that owing to this system of percentage, the roads have got starved?—That has been a complaint, and in some districts it is certainly the case.

39433. The secondary schools for which the Boards pay are largely managed for them by the department?—Yes.

39434. Even in respect of primary schools they have not got their own inspecting agency?—Upon that also we propose to issue orders very shortly, putting the primary schools more directly under the District Boards.

39435. Are you going to give them their own agency of inspectors?—We propose that the assistant inspectors should be their own agency, and that the district inspectors should be lent them by the Government.

39436. Is it the fact that the Boards cannot abolish a school without the sanction of the Director of Public Instruction?—My own opinion is that they ought to be in a position to abolish a school. I think orders are issuing to the effect that they may do so with the sanction of the Commissioner.

39437. Are they still made to pay for clerks who are employed on Local Fund work in the Commissioner's offices?—They are still made to pay; we are ready to take it off their hands as soon as we can afford it.

39438. At the time Mr. Hamilton wrote, the vaccinators were under the Sanitary Commissioner; are you going to alter that?—The vaccinators have been made subordinate to the District Boards now.

39439. The dispensaries were managed by the Civil Surgeons. Have you done anything as to them?—We have issued no orders about that yet.

39440. The roads were largely managed by the Public Works—by the Executive Engineers?—To a certain extent they were: the bulk of the ordinary unmetalled roads in the district were managed by the District Boards; some of the better roads were managed by the Public Works.

39441. Would a metalled road be paid for by a District Board or by provincial revenues?—You very seldom find a road that is not a metalled road that is paid by provincial. As regards metalled roads, the District Boards keep up a certain number and the provincial Government either maintain the rest from provincial funds or maintain them at the expense of district funds.

39442. Speaking generally, can you say which is done most—that the provincial Government maintains and pays, or that the provincial Government maintains and the Local Boards pay?—I cannot say what the proportion is.

39443. Is there going to be any change in respect of that?—We made some general arrangements when the Government of India gave us a large grant two or three years ago; we arranged that a certain programme of metalled roads should be carried out, and carried out by the Public Works Department, the contribution being made half from provincial funds and half from the District Boards; it was also arranged that, as soon as each District Board was able to show that it has a good District Engineer and a good district establishment, all the works now looked after by the Public Works should by degrees be handed over to them.

39444. You talk of a good District Engineer; you are going to encourage them to maintain their own staff apart from the Public Works Department?—Yes, we have given them grants for that purpose.

39445. Were these orders issued upon Mr. Hamilton's report?—Some of the orders that I have mentioned were.

39446. Were they embodied in one resolution?—No, they have not all been acted upon; in fact some of these orders which I have referred to are not yet issued.

39447. Will you let us have such as have been issued which you think are of importance?—I will.

39448. So that in the past, at any rate, your principle that the authority that pays should be the authority that should administer, was absolutely departed from in this province?—Very largely.

39449. Your financial relations with the District Boards seem to have been complicated by an enormous lot of petty cross-entries; are you going to simplify that?—We propose to abolish several of them; we have sent round to the Commissioners suggesting the abolition of two or three classes of entries.

39450. You spoke of having employed the 25 per cent. extra on the Land Cess which the Government of India gave in the improvement of these roads; but what will happen when the roads have been put into decent order? Are you going to distribute the grant equally among the District Boards?—We have made arrangements for five years. I forget what we said should happen after that.

39451. As regards the 20 per cent. which you take from the Land Cess, are you in favour of getting rid of that as soon as funds will admit?—Certainly.

39452. Does the District Board budget come up to the Commissioner?—Yes.

39453. Does it go on to the Local Government?—Yes, but now that the District Fund is an Excluded Local Fund we shall merely get from the Accountant-General a memo. of the budget accepted by the Commissioner.

39454. As regards the District Boards and municipalities generally, you would like the Heads of Government Departments to be advisory and inspecting officers without control?—Yes.

39455. You would give a reasonable latitude to the District Board to reject the advice of the Director of Public Instruction if they thought it was not good advice so far as they were concerned?—Yes.

39456. Would that not be rather difficult while the Director of Public Instruction remains Under-Secretary to Government; there would be an appeal from himself to himself, largely?—It would, no doubt, have that appearance.

39457. Will it not be necessary, if you want to make that principle a reality, to concentrate the final decision of all differences with the Commissioner?—Certainly, with the Commissioner or else with the general Secretariat of Government.

39458. But if the Commissioner can pass the Local Board budget, is he not a big enough man to say in regard to education whether upon a particular matter he would over-rule the Board with the advice of the educational authorities?—I think in most cases he is.

39459. As regards your budgets, are not your figures generally corrected by the Government of India in the direction of greater accuracy?—Yes.

39460. As a matter of fact, have not the figures, as worked out by the Government of India, been more accurate than yours, as decided by actuals?—Yes.

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39461. So that so far that has not hurt you, and it has done good.

39462. Why do you propose to get rid of that check? Is not the Government of India's Financial Secretariat a much stronger body than yours?—Of course; it is not with a view of getting rid of the assistance we get from the Government of India: it is rather from the point of view of our having independence.

39463. Does not a great deal of revenue come from divided heads?—Yes; the bulk of the revenue.

39464. In those divided heads the Government of India is materially concerned?—Yes.

39465. Therefore, the amount of the imperial surplus depends very considerably on estimating the—receipts of those divided heads as closely as may be? Yes; I would have no objection as regards receipts to accepting any figures the Government of India might think accurate.

39466. Then you would admit the correction of your figures by the Government of India in regard to receipts?—Yes, as a technical correction.

39467. About expenditure, with one exception—the land revenue—the Government of India shares the expenditure under the heads the receipts of which are divided?—I was under the impression that there were more heads than the land revenue which were purely provincial.

39468. The Government of India sharing the divided heads, the expenditure under those heads affect imperial expenditure, and consequently the imperial surplus?—Yes.

39469. The extent to which the province draws on its balance, or has a surplus and does not draw on its full current resources, affects the Government of India surplus or deficit?—Yes.

39470. So that in all these matters, so long as you have connection between provincial and Imperial finance, you must have Government of India control over the figures?—I admit that there are difficulties in the way; the general idea was that we should get control as far as possible.

39471. With regard to specific control as to the creation of appointments, additions to salaries, and so on, you have just as much control over the divided heads to-day as you have over the provincial heads?—Yes.

39472. Do you share Mr. Russell Stracey's idea that you should get rid of all divided heads and make everything provincial subject to a lump contribution to the Government of India?—No, I should not recommend that.

39473. Mr. Russell Stracey states that local funds must "spend their last pie" (he is talking of financing famine measures) before the Imperial Government comes in. Is that the system which is applied in the Punjab?—No; we insist on their spending a reasonable amount on famine.

39474. If famine broke out, say, in the Jullundar district, would you make the Local Board pay every rupee it could before the provincial Government would intervene?—No, that is not a correct statement.

39475. Your idea is that you would make the Board contribute to some extent?—Yes.

39476. As a matter of fact, do they have to pay largely?—I do not know how far they contribute.

39477. Do you make the Boards contribute largely to plague?—They contribute a certain amount to plague; we have recently given them orders as regards the system on which that is to be worked.

39478. Can you mention in general terms what the new system is to be?—I think they are called on to state how much they think they can afford; that is scrutinized and they spend up to that; any balance that has to be spent over that is paid by the provincial Government. The amount the Boards are liable to spend is settled beforehand, so that their own budget may be more or less on a settled basis.

39479. (Mr. Hichens.) Do the Boards have any administrative responsibility for the plague expenditure, or is it a dolo to the provincial Government?—I cannot tell you accurately how far they have any responsibility.

39480. (Mr. Meyer.) There is no recognised percentage? For instance, you know the new arrangement that has been made with the Imperial Government in the matter of famine relief; you have nothing of that sort with the District Boards; you do not undertake to pay a larger proportion of the plague charges and only to make the Boards pay a proportion?—No.

39481. You say that there has been a tendency in some of the Imperial Departments to follow up general orders with demands for drafts of the detailed orders proposed to be issued to carry out those orders. What particular departments have you in your mind?—I was thinking chiefly there of the Revenue and Agricultural Department and the suspensions and remissions Resolution.

39482. Does that continue still?—The resolutions we have had from them since have not done that.

39483. You were in the Revenue and Agricultural Department of the Government of India for some time?—Yes.

39484. It was put to us in some provinces that there was a tendency to force Punjab methods on Bengal and other provinces who rather objected to them; would you say that there was anything in that?—I cannot say that there was much of that when I was in the office; what you might call general, North of India methods were brought to the notice of the other Governments once or twice.

39485. You mean the Punjab and United Provinces?—Yes; for some years you might call them all United Provinces methods.

39486. You say that details of recurring suspensions and remissions should be left to the Local Government. Are they not left to Local Governments at present?—Yes, the details of the working; I refer there to the issue of detailed orders.

39487. But surely the Government of India merely laid down general principles as to the extent to which a loss of crops should justify a certain amount of suspension?—I think the circular itself was quite right in that way; what I was objecting to was their not trusting the Local Governments to carry out the orders, but insisting on seeing the rules before they were issued.

39488. You would admit that they might ask to see the rules for their information?—Yes, after issue by the Local Government.

39489. As a matter of fact has there been any interference with what you desire to do in the Punjab in the way of remission?—No, there has been nothing of any importance.

39490. What happens when there is a trifling loss of crop affecting quite a small area; have Deputy Commissioners any power?—Yes, a Deputy Commissioner can suspend there in the same way.

39491. Can he remit it?—As far as I recollect, he cannot remit on the spot.

39492. Might he have any powers of remission?—I think he might suitably have small powers.

39493. Referring again to the Calamity Rules, are not the conditions under which suspensions pass into remissions more or less automatic? If the suspended revenue amounts to more than a year of the normal demand, or it cannot be recovered in three good harvests, is it not remitted under the general orders?—That is our general principle.

39494. Might not the Deputy Commissioner be trusted to work that automatic scale?—There have been occasions on which it has not been absolutely carried out; there is a certain amount of latitude allowed in its application.

39495. Do you think the Commissioner should still see it, even though under the rules it is quite clear that a remission should be made?—The rules do not absolutely say you are to remit, but that should be the guide.

39496. And you exercise discretion?—Yes.

39497. So that there is no case in which the Deputy Commissioner can say: "Clearly it is the intention of Government that this suspended revenue should now be wiped off, and so I remit it"?—No; I should see no objection to his being able to do that up to a certain point, but the sums are so very large sometimes.

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39498. What point, roughly, would you take?—I think he might remit up to say Rs. 5,000 or Rs. 10,000 even for a district.
39499. Is that not about the limit of the Commissioner's power—Rs. 10,000 for a harvest?—Yes.
39500. If you gave the Collector power up to Rs. 10,000, might you not extend the Commissioner's powers?—Yes.
39501. Would you give him power up to a lakh of rupees?—Up to half a lakh for a district.
39502. You have introduced what is called a fluctuating assessment into a number of your districts, under which the assessment varies according to the character of the crop year by year; who fixes the assessment finally, the Deputy Commissioner or the Irrigation Officer?—It would depend on the system in force in the district. In some districts the Irrigation Department do it, and in some the Deputy Commissioner does it.
39503. Whoever decides, it is a large responsibility, and it must be done very largely on the reports of subordinates?—Yes.
39504. Does that not put an undesirable power into the hands of the patwari in the way of bribery and so forth?—It does, but we have to calculate whether it is worth while running that amount of risk in order to save people from being harassed for revenue in parts of the country where they have fluctuating crops.
39505. We were told by an eminent official from the United Provinces that they had had that system at work there, but the people disliked it very much and preferred the permanent acreage assessment, and that they had done away with it; have you had any complaints as to that in the Punjab?—I think it is a system which should be extended with care, and almost everywhere, when it is first introduced, the people dislike the idea, but when it has once been introduced and put into working order, they have accepted it—that is to say, in districts where the fluctuations in cropping are very great.
39506. In Multan, for instance, where the fluctuations are great?—Yes.
39507. Apart from that, where the crop is fairly steady, but the character of the season varies, do the people like the fluctuating assessment system?—I do not know that we have any tract where you can exactly say that; the two things generally go together, where the area is variable the character of the crop is variable.
39508. Speaking generally, does it extend over a large part of the province?—Speaking merely from a guess, I should say about a fifth or a sixth.
39509. How long has it been in force?—Along the rivers it has been in force in many places 30 or 40 years; but, as a general system, I should say for the last 10 years.
39510. Is it your personal opinion that, in spite of the dangers you admit, it is worth while going on with it and possibly extending it with great caution?—Yes; but I think we have nearly reached our limit now as to the area within which it should be tried.
39511. (*Sir Steyning Egerley.*) As regards these remissions, have you many landlords or others who pay an assessment of Rs. 50,000 a year?—No, very few.
39512. Or over Rs. 10,000?—I should think a very small number over Rs. 10,000.
39513. So that the limit of Rs. 10,000 which you suggest would really cover the case of any individual occupant?—Yes, I meant Rs. 10,000 for a district.
39514. Quite so, but if you allow an officer to remit up to a limit of Rs. 10,000 he can practically remit in full to any particular cultivator?—Yes.
39515. However big the total of remissions for a district is, if it goes up to five or ten lakhs, it is made up of small sums to various cultivators?—Yes.
39516. And each of those men have to be dealt with in a manner which seems just and fair to the cultivator concerned?—Yes.
39517. On what principle then do you prevent the Collector or the Commissioner dealing with each individual cultivator because the gross total may exceed some maximum limit for his district? Can any one

else know the individual circumstances of the crop of each cultivator?—We generally work on a village as a unit, and as regards the village we have notes sent up to the Commissioner as to the character of the crop there, as to the character of the cultivators, and generally as to the power of the village to resist anything of the kind, and then the percentage of the revenue which it is proposed to remit or suspend is fixed.

39518. Just so, but remissions is rather a case, to use an old phrase, "where many a mickle makes a muckle," and you have to settle each "mickle" independently and justly to the individual, and nobody can do that except the officers who know the actual circumstances on the ground. You gain nothing therefore by taking the decision away and giving it to a higher authority which cannot know the circumstances?—We only gain in this way,—that an officer who makes the first remissions will suggest a certain percentage being remitted, and if he is an officer of comparatively small experience it is possible he may go too far, or not far enough, and the Commissioner can correct him.

39519. Of course the Commissioner is near enough to go and see for himself the circumstances?—Yes.

39520. But you limit him too?—Till lately we have limited the Financial Commissioner even.

39521. Of course the Commissioners must report the amount of revenue that cannot be recovered for financial purposes, but why take the decision out of their hands?—I see no objection to giving the Commissioner fairly complete powers.

39522. There has been a certain amount of evidence to show that a Collector should have complete power of suspension and the Commissioner the ultimate power of remission?—With us that is not so. I suppose the idea guiding us in limiting the Commissioner's power has been the very large amount of money concerned.

39523. All made up of small items?—Yes.

39524. Which the higher authority really cannot discriminate?—Yes.

39525. Colonel Parsons suggests that it would be a great relief to appoint Magistrates *ex-officio*; are you aware that we have done that in Bombay for some years?—We have recently done it at my suggestion here, and that difficulty has been obviated now.

39526. What is your idea with reference to the powers of Imperial Inspectors-General in regard to correspondence with officers in the province?—It is very difficult to draw a distinct line, but I should not object to their corresponding on personal matters with the local corresponding officers.

39527. Officially, or informally, or how?—Even officially, I should not object.

39528. It has been suggested that as decentralization goes forward the Government of India must have these officers, because they will get less and less information from the provinces and therefore must have the aid of such officers to enable them to maintain control and discharge their responsibilities to the Secretary of State; what would you say with regard to that?—I think the officers fulfil a very useful function.

39529. But what would you say—on the point that they should be purveyors of information to the Government of India to enable them to exercise those powers?—That is not the object with which I should retain them; it would be to supply the Government of India with technical advice.

39530. If the Government of India want such information, ought they to get it through these Inspectors-General, or ought they to go to Local Governments for it?—I think they ought to go to the Local Governments.

39531. When general orders are followed up by a request for copies of your more particular orders, do you find correspondence ensue?—No, there is no great harm done, but it is an unnecessary procedure.

39532. It was suggested to us that it would be very much more convenient to the Government of India to get the information in that way rather than having to look for it in proceedings?—I see no objection to their asking, when orders have issued, that a copy should be sent to them.



39533. But in the past have you not had to send up drafts of proposed orders?—Certainly, in the one instance I have mentioned.

39534. With regard to your remarks as to the delegation Act, are those entirely your own views, or have you discussed the matter with Sir Denzil Ibbetson?—Sir Denzil Ibbetson spoke to me about it, and said that was his view also, and if one had to put forward the views of the provincial Government, he would like that to be noted.

39535. With regard to the Court of Wards Act, have you any idea what Sir Denzil Ibbetson's view about it was after he came back as Lieutenant-Governor?—No.

39536. Is the passage in paragraph 7 of the Government memorandum which I point out to you really an expression of his views?—Yes, it expresses his views.

39537. So that he was inclined to think in 1907 that the change was not working as well as has been expected?—Yes.

39538. Is there any opinion that the agricultural statistics and returns required by the Government of India are unduly onerous?—Yes, there is an opinion to that effect.

39539. Do you share it?—Yes.

39540. Do you see any remedy?—In most cases certain information is wanted, but it should be reduced to the smallest possible dimensions.

39541. As regards memorials to the Government of India it has been suggested in different parts of the country that a memorial should be withheld if it comes from officers receiving less than Rs. 250 a month, and another suggestion has been made that with regard to the whole of the Subordinate Services the Local Government order should be final, and that the Provincial Services alone should have an appeal to the Government of India because the appointments are made by the Provincial Governments; would a suitable rule be that men in the Provincial Service, or on pay of not less than Rs. 250 a month, might have access by memorial to the Government of India?—The only reason why I should prefer to mention the money limit is that I believe, in some departments, the Provincial Service is not very definitely marked off. I see no objection to that, but at the same time there is no urgent need in this province to alter the present rule which is Rs. 100.

39542. It has also been suggested that the points of contact for all departments in the different administrative hierarchy should be the Collector, the Commissioner, and the Local Government, and that all the outside departments should, in their grades, be brought into close touch with the Collector, the Commissioner and so on. Am I right in understanding that you rather agree with that, and you would make the outside departments rather consultative and advisory than administrative?—Yes, I would not subject the other departments to their control.

39543. You suggest that more control should be given to the Commissioner "by requiring that in cases where the sanction of the Heads of certain Departments (Excise, Agriculture, Land Records, and Co-operative Credit Societies) may now be required" for expenditure, the sanction should be given by the Commissioner of the division?—Yes.

39544. Is not that in pursuance of that principle?—That was in regard to certain departments in which the Commissioner has quite as much technical knowledge, probably as the Head of the Department.

39545. You would not extend that to other departments?—No, I would not extend it further.

39546. Would you apply the rule, which is generally acknowledged in theory, as regards the Forest Department, that the district forest officer in administrative matters is the assistant of the Collector, but in technical matters is under his Conservator, to such Departments as Police and Public Works?—It already holds good to a large extent as regards the police.

39547. Is there any specific order to that effect?—I have an idea that the Act itself puts the Superintendent more or less under the Collector.

39548. Would it be a good basis as regards the Executive Engineer?—I do not think it would work as regards Public Works.

39549. As to the use of powers belonging to the Local Government under the Civil Service Regulations, your position is that the Local Government would always be responsible to the Government of India?—Yes.

39550. But having that responsibility they should be free to say, how, or through what subordinate officers, they will use the powers they may have?—Yes.

39551. That it would in no sense diminish their responsibility to the Government of India?—No, in a general way.

39552. Are you in favour of the extension of the sub-divisional system; of breaking up a district entirely into sub-divisions?—I think we should have to make some changes in our present system of sub-dividing Provincial Service officers into various classes as to which there is at present a difficulty, but if, for instance, we did away with what is called the revenue assistant in each district, and if we had the officers to do judicial work entirely separate, then the remaining officers of the district might be made available as Sub-Divisional Officers.

39553. Would you like to work to that system?—Yes, not necessarily with the Sub-Divisional Officer living in the sub-division.

39554. But making him really a step in gradation between the tahsildar and the Collector?—Yes.

39555. If that were done would you be prepared to give him powers of control and punishment over officials receiving up to, say, Rs. 20 or Rs. 25 a month?—Up to a certain limit; I would not say exactly what.

39556. And the final appeal should be to the Deputy Commissioner?—Yes.

39557. You tell us that the Commissioner's office is too weak; would you say the same as to the Deputy Commissioner's office?—It is weak as a rule on its English correspondence side.

39558. Ought the Deputy Commissioner's office to be strengthened?—Yes, it would be a help if it was strengthened.

39559. Assuming that a Deputy Commissioner gets more final powers, would more careful selection be necessary?—To a certain extent. We should occasionally wish to have power to prevent a man from any promotion to Deputy Commissioner.

39560. Would that lead to a system of proportionate pensions?—I think so.

39561. Do you see any reason to think that that would affect recruitment?—When I say it would lead to a system of proportionate pensions, I mean to say that such a pension would be necessary when Government wished to get rid of a man. I do not think it would affect recruitment.

39562. If it did, would there be an adequate counterpoise secured by improving pensions of successful officers?—If it did, we should have to do something of the kind.

39563. Are you satisfied with the training of young Civilian Officers after they come to this country?—They get now a good revenue training with us, but not as good a judicial training as they should.

39564. And with regard to languages?—I think they should be required to do a little more in the way of languages; they should pass the Punjabi examination.

39565. It has been suggested that we might use the new police schools for putting young Civilians through a course of languages and codes; would you be in favour of anything of that sort?—The difficulty is that they have already got to go through a revenue course and a judicial course, and it is somewhat hard to make them go through them.

39566. But could you not teach the judicial work and the book-work more effectively in a school?—The judicial training they are supposed to get now is a practical one in the Courts, and not a book training.

39567. It is suggested that if Local Governments have a good deal more power under the Civil Service Regulations and other financial codes, that they would probably sanction a larger number of cases than they at present get through; would you agree with that possibility?—I think there would be a slight tendency in that direction.

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39568. It has been also suggested that that would be somewhat of a political advantage as perhaps tending to make the Government seem less hard?—Possibly, but I should not say anything very much to that extent.

39569. Under the former relations between Commissioners and the police, you put the Commissioner in the position of a Deputy Inspector-General?—Yes, very much.

39570. That is to say, you made the Commissioner, who is in other respects a very much more senior officer, subordinate to the Inspector-General?—He was in that sense subordinate, but we did not look upon the Inspector-General before as either senior or junior. Differences of opinion could be referred to Government.

39571. Was that not a position which was not likely to work well?—I have had no personal experience of it.

39572. If there was any idea of bringing the Commissioner more into touch with the police, would it not be better to give him the same powers in his division as the District Magistrate has in his district?—Yes, it would be on the same lines.

39573. Might you let appeals from the local police in districts go to the District Magistrate, and appeals against punishments from Inspectors go to

Commissioners?—I should not like to say without thinking a little more about it.

39574. As regards the gradual working up of a Public Works staff for District Boards, it has been suggested that one disadvantage is that it means that you spend more money on establishments in the area than is absolutely necessary and it is not therefore economical; do you agree with that?—That is true, there is a chance of establishments over-lapping, but at the same time in some ways it is economical, and work can very often be done cheaper.

39575. Does it really advance local self-government greatly if you give the technical execution of any project they desire to laymen? When a District Board wants to build a school, for instance, does it matter whether the man who does the work is their own servant or whether they go to a contractor or the Government Department; do you think it makes any difference as to local self-government?—No, not as regards that particular work, but when a department gets a footing in that way it is apt to extend its sphere of influence.

39576. (Sir Frederic Lely.) Referring to the statement of Mr. Craddock, the Chief Commissioner of the Central Provinces, and his remarks as to Public Works, do you agree with them?—I would recognise the main principles of that statement as correct.

(The witness withdrew.)

Lieutenant-Colonel C. G. PARSONS was called and examined.

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39577. (Sir Frederic Lely.) You are Deputy Commissioner of Lahore?—Yes, I have had 20 odd years' district experience in the Punjab.

Imperial Acts and rules too often make reference to the Government of India necessary, and similarly provincial Acts and rules make reference to the provincial Government or to the principal revenue authority too often necessary, this being, in the latter case, particularly noticeable in rules made by the principal revenue authority.

The reasons for this would be professed to be precautionary, for fear blunders should be made below or for fear that there should be disregard of uniformity. The latter consideration is of doubtful merit, and the former often too solicitous. But there are other reasons, not so easily detectable or admissible, arising out of the desire to retain control from above. Whether such control facilitates or hinders the due despatch of public business should be the criterion; but it is not always so, the control being insisted on often merely because a superior office exists. When the control does not facilitate due despatch it is unnecessary, and when it hinders it is mischievous. It also indicates that the superior appointment is *pro tanto* superfluous.

A general Act of delegation to correct the restrictions discussed would be better than specific amendments of specific Acts and rules, which latter would be tedious, although probably favoured by some on some legal ground borrowed from England, or "for the sake of uniformity."

Similarly, the Codes are too rigid in requiring Local Governments to gazette powers to officers *by name*. An impossible treatment of the necessities of different positions is pre-supposed by such rigidity. For example, a tahsildar goes on a short leave, and his naib acts. By the time the Local Government has been able to gazette the proper magisterial powers to the naib, the tahsildar is almost due back again. This is an instance constantly recurring, *mutatis mutandis*. The Local Government should have power to provide for these necessities by empowerment of *tahsil* and District Officers *ex-officio*.

The influence of the departments of Government of India is certainly in the direction of excessive uniformity, if not rigidity also. It seems impossible that this should not be the case. Take an energetic Viceroy or an energetic Member of Council, who knows his tenure of office lasts only five years or so. He is perplexed and inconvenienced, in trying to get grip of his work "as a whole," to find divergencies and apparent incompatibilities existing in the systems of different provinces. He is afraid that if these perplexities and inconveniences or obstacles to his getting

grip are not removed, he may have to leave office without having improved administration even in any one province. He therefore to help himself and his successors in office aims at a uniformity which will present none of the perplexities, &c. It should be recognized that the Imperial Department is only useful in so far as it works in concert with and does not hinder or hamper each provincial Administration, just as a provincial Department should recognize its own limitations in comparison with each district's administration. The limitations of function of the Imperial Department should have regard to its *personnel* just as those of a provincial Department should have.

The Heads of Departments realise the blindness and want of intelligence their position entails, and they strive to correct this by working the body. They want to see and know, and they strive for this by elaborating a correspondence with provinces and districts, which, while it prevents them from being blind and unintelligent, hampers the provincial Governments and almost paralyses the District Officer, because the latter feels the combined effect of the Imperial and provincial Departments both engaged in writing at him. This is the phenomenon which is clogging the prime administration of the country with cumulative effect year by year, as the elaboration of and creation of Heads of Departments goes on up above. It is responsible for the "loss of touch" which the Secretary of State's schemes for Advisory Councils purport to supply or restore. The more the elaboration and creation goes on, the less will the prime administration of the country remain possible. It has got almost impossible already.

Just as limitations are imposed upon the provincial Head of a Department (though these limitations require fortifying) to make him work in concert with and, as far as may be, not to the hampering and hindrance of the District Officer, so I would impose limitations upon the Head of an Imperial Department by making him *ex-officio* a member of the Councils of Governors and of Lieutenant-Governors. He should, I consider, be that first, and member of the Viceroy's Council afterwards, or, at any rate, the Viceroy's adviser afterwards. For, after all, what does the Viceroy want to get as an adviser—an officer who is practically acquainted with the administration of the different provinces, or one who is scraping an acquaintance by dint of laborious correspondence? The Viceroy needs to be at one with his provincial Governments, and to work in concert with them, not to command a number of interpositionary officers, Heads of Departments without bodies, out of touch or of concert with the Local Governments, and laboriously compiling office records and files; each

one of which almost, from its necessarily inquisitorial and its interpositionary nature, is a hampering and a hindrance to the Local Government. If in the cold weather each Head of an Imperial Department took his seat, along with his fellows, at the table of each provincial Council in turn, according to a roster, which by the Viceroy and by the Local Governments *inter se* could be arranged, the necessity for half the correspondence which arises would disappear, the reasons, in individual provinces, for departure from uniformity would be better understood, and the Viceroy would, through advisers themselves in touch, himself be far better able, and at the instant of his assuming office, to work in touch and in concert with the Local Governments than he is at present.

That the Imperial Secretariat is apt to consider matters from too purely a departmental standpoint is inevitable under present circumstances. The plain reason is that they (even more than the Heads of Imperial Departments) are out of touch with the people and with direct administration more so than any Government servants of any kind in the country. Their surroundings may be said, at Simla and at Calcutta, to be, except for touch with domestic servants and Indian visitors (when they receive them), almost entirely European, except, perhaps, when they go on tour now and then with Members of Council. While their perennial surroundings are such, their daily society is, for the purposes of this discussion, that of officialdom, and of European officialdom to boot. Thus they naturally become departmentalized, specialized, and often almost academic from loss of touch with practical administration. In their surroundings departmental impossibilities recorded on paper assume a reality scoffed at by the practical workers below. They forget, or are apt to forget, that they generally are working for Heads of Departments without bodies. They are apt to forget that there is only one body which almost every department is crucifying in its turn, and each, if he is energetic, is by his energy unfortunately in many ways doing more harm than good. In this I speak, not as one who might be accounted jealous of European surroundings he cannot, as an European in India, enjoy. I have enjoyed them; and I do not want to enjoy them again on the same terms. I had six summers of departmental life as Excise Commissioner at Simla. The period is sufficient to departmentalize any man. From being a more or less rough and ready District Officer, I became an expert at rule-drafting and compiled the Excise Pamphlet, still current in the province, the *minutiae* of which gives me food for reflection every time I see it. I enhanced revenue largely it is true, but my work was impersonal and dominated by these considerations, and all this happened in spite of the fact that I toured extensively every cold weather. Had I remained on in office, I would have done harm, as I had exhausted the immediate possibilities which lay to hand when I took office. I should have begun to unduly elaborate as a man cannot sit idle. In the German Army I believe they hold that two years' continuous staff employ is sufficient for which to second a regimental officer. He is useful for that period they think, but thereafter liable to become a spoiled practical officer, as well as, because it follows, a degenerated staff officer. The same principle applies to seconding for departmental work, although in civil administration the limit may be longer, say five years. The reputedly "indispensable" Secretary, however convenient to his employer he may be, is apt to be one much better got rid of from the point of view of public business.

Directors and Inspectors-General should be subordinated to Local Governments. I contemplate that Members of the Viceroy's Council should be *ex-officio* Members of the Councils of the Local Governments. In the case of Directors and Inspectors-General they can learn from no one but the Local Governments, to whose Councils, if they are not admitted or subordinated, they will always be plying the offices thereof for information elicited by inquisitorial correspondence. If the Directors and Inspectors have any important matter to ventilate, it would be simpler for them to ask for it to be put on the agenda of the meetings of the provincial Councils, or when there is not an Executive Council, then of the meetings of the Revenue Boards, of which they similarly might be *ex-officio* members. Such subordination to provincial Governments would not impair their status as Imperial

Directors or Inspectors-General, while it would very much improve their ability (without immense paper work beforehand) as imperial advisers. They would thus be provincial advisers and imperial advisers in one; and this is what they ought to be, no more and no less: the Viceroy's delegate at the provincial Councils or Boards and the provincial delegate at the Viceroy's Council or Advisory Table.

The initiative in administrative reforms or elaborations has in recent years been almost entirely due to the Government of India, as represented by a particularly energetic Viceroy, backed by the Members of his Council or the Heads of Imperial Departments.

If my suggestions were approved, provincial Governments would develop their administration on lines in harmony with those perceived by the Government of India, and the Government of India would develop its administration in harmony with those perceived by Local Governments.

The demand for returns and information from Local Governments has enormously increased of recent years, and also, as a necessary consequence, a proportionate enormous increase of burden has fallen upon District Officers. The whole efficacy of the prime administration of the country is at stake in this connection. The points all hang together. It is the same point re-appearing under another aspect in each case. The spectre responsible is the Imperial or Provincial Department, all head and no body. Where is the body? It is not found in the Local Government, which is composed of a Lieutenant-Governor and some Secretaries, or of a Governor with a Council and a Revenue Board. These feel and pass on the stress no doubt. But the body is the *personnel* of the district unit. The body is the *personnel* consisting of the District Officer, with his weak, almost pitiful, English office and vernacular office, his revenue assistant, his tahsildars with offices quite illiterate very often as far as English is concerned, the kaunungos and the patwaris. This is the body by which the country is, or hopes to be, administered. And this is the body which the bodiless departments all necessarily, under existing circumstances, try to appropriate, disputing for possession of it, simultaneously or each in turn. This is the body which is strangled by lassoes flung out from all these departments, each trying to pull its particular way. This is the body which perceives with anxiety the growth of the bodiless heads (each insatiable in its demands for returns and information), and the diminution of the time left for the exercise of the prime functions, *viz.*, proper intercourse with, and government of, the people. Matters are fast approaching a climax. A District Officer is so overwrought as to be driven nearly crazy in the heavier districts, and given undue continuous strain in the smaller. The remedy some say is to split up the districts. This would not cure things. It would, I sincerely believe, make matters worse. We suffer from over-administration already. Were there Deputy Commissioners or Collectors in each *tahsil*, with departmentalism proceeding on the present lines, I fairly believe that the people would show impatience. As it is, owing to the weakness of that body which every *bureau* uses, *vaidars* and notables are being impressed into being demi-official auxiliaries to the body. Their duties, originally confined to aiding the District Officer and police officer in a few defined ways, are being extended to registering continuously in the most tedious manner hundreds of bullocks likely to be required for transport on mobilisation, and to other extraneous activities, and the more District Officers find their legitimate staff overworked, the more are they likely to utilise these notables. A District Officer, working inside an area no bigger than a *tahsil* or two (without a large municipal city to occupy him) and with all the departments promptly grasping at these many fresh bodies to utilize, would under the pressure so over-elaborate the administration of his district, I think, if he were a man of energy, as he often is, that the people would have no rest. And what is it, or what would it be, all for? Is it to show to the world how we can elaborate the administration of a country? We may do this, and simultaneously omit the prime aim, namely, of keeping the people contented.

Besides, the question of expense is predominant. The initial expenses of maintaining the first *sine qua non*, *viz.*, the foreign domination, demand that the

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further Government be *pro tanto* unelaborate and inexpensive. Can we then reduplicate district administrations, or create departments like the Forest, Public Works Department, Military, Post Office and Telegraph Departments with (bodies) *personnel* of their own? And is it requisite, when personal rule and simple rule is admittedly the best? The District, Provincial, and Imperial Governments must be unified by the withdrawal or amendment of the isolated interpositional departments which try to, or tend to, monopolise the bodies on which the prime administration depends. In other words, there should be no Imperial Departments other than can be officered by provincial-*cum*-imperial incumbents. I am primarily alluding, but not altogether by any means, to non-paying departments, for the paying departments generally constitute bodies of their own, viz., the Public Works Department in both Branches, the Forest, Post Office and Telegraph Departments. The non-paying departments, always of course excepting the Military Department, are the ones which constitute no bodies, or have none constituted for them, out of a natural fear of expense. But the departments with bodies can burden the *personnel* of the district unit a great deal and the people also like the Canal and Forest Departments. The Post Office and Telegraph Departments seem model departments, in that they have bodies of their own and worry no other body, official or non-official.

The Commissioner has become "the fifth wheel to the coach." This is not my own assertion, but that of the senior Commissioner in the province some years ago. I have long considered why this is the case, and whether individual idiosyncrasy could account for it, when apparent in the *cadre*. It is the natural result of redundancy somewhere, and a Board of Revenue (or Financial Commissioner) side by side with Commissioners means redundancy. If you extend the Commissioners' powers in revenue and administrative matters to their reasonable extent, the *locus standi* of the Financial Commissioner (or Board of Revenue) would disappear (since there is a Settlement Commissioner already); or if you took away the limited revenue powers the Commissioner has now, the Financial Commissioner (except in the matter of appeals) would not be greatly inconvenienced. In fact, it may be questioned whether if there is Board of Revenue (or Financial Commissioner and Settlement Commissioner) Commissioners are needed, or whether, if there are Commissioners and a Settlement Commissioner, a Financial Commissioner (or Board of Revenue) is needed. Looking to the administrative aspect of the question, I would, if it were by any conceded that one or the other set of offices was redundant, prefer to argue that the Commissioners should remain, as the Board of Revenue is apt to get unduly swollen, if, as in Madras, it treats direct with a multitude of districts, whereas it is possible for the Government to treat direct with five Commissioners, as it does in many lines of correspondence already. Besides, the Board of Revenue could not so well discipline or curb a multitude of Deputy Commissioners as a Commissioner could his five or six, when, as is often the case, the Deputy Commissioners are young or require discipline and control owing to personal idiosyncrasies.

The Commissioner should be absolute Director of the affairs of wards in his division. He can become acquainted well with the affairs of each ward. Yet the Financial Commissioner, who cannot become so acquainted, appears as the Head of the Court of Wards. It was presumably a question of who should have the power, and the Commissioner went to the wall.

It is possible and desirable to allow Commissioners and Collectors to control expenditure more than they do at present; it is, in fact, ridiculous that their power is at present either so petty, or even in important ways non-existent. The Civil Account Code is based on an attitude which trusts no discretion. It seems to pre-suppose that to trust an officer to order a payment even in urgent cases is dangerous, owing to probable irresponsibility. Experience shows that men more often (or as often) shrink from taking responsibility rather than take it. If the code provided that a District Officer or Commissioner could pass an order for a payment to meet an emergency, provided he immediately reported the fact with explanation, the charge to be accepted only if that explanation were satisfactory, I do not think

many men would risk irresponsible orders. Yet no such option is allowed. The pre-sanction of Government is required, and at provincial head-quarters pre-audit by the Accountant-General (who can even refuse to pass the Government order). I have several times in my service paid out of my own pocket money required to meet a State emergency, and thereafter waited until the Government re-imbursed upon my report. In one case re-imburement occurred after six months, and during all that period I was owner (and so recorded in the patwari's papers) of a plot of land which I had bought on the spot on behalf of Government to meet an emergency. I have paid crop compensation, plague expenses, and transport hire out of my own pocket, and once for the cost of a bullock threatening rabies which I had destroyed. All these sums were re-imbursed eventually, but consider the ridiculous position. The Civil Account Code is just that class of volume which would never have been compiled, in its most restrictive aspects at any rate, had the Head of the Department compiling it been in touch with, and working in concert with, the provincial Governments.

Appeals in executive practice are much affected by the idiosyncrasies of the Lieutenant-Governor. If he shows no undue credulity, appeals drop off. If he does, they mount up. It would be hard to regulate or curtail the rights of appeal in the face of these considerations. To make appeal conditional on a certificate from the officer whose decision is appealed against would be illogical. The influence of the departments of the Local Governments is incomparably less in the direction of excessive uniformity (without much towards rigidity) than is the case with the departments of the Government of India. The provincial Departmental Officers are heads in touch with the body they utilise, rubbing shoulders with the District Officers who represent that body, and this the Heads of the Imperial Departments and their Secretaries never can be (although they utilize the same body) unless the reforms advocated are countenanced, or some reforms similar to them. At the same time these provincial Heads of Departments impose so much work on District Officers that they might well have itinerant "conveyers" of information, whose duty it would be to visit District Offices, and extract and convey from these offices information required on given subjects to their own chiefs. The weak, ill-qualified district offices (English) are being submerged by calls from outside, and such "conveyers" could have the files and statistics placed at their disposal, make up their information, and be *themselves* responsible for its correctness in submitting it to their chiefs. The Deputy Commissioners are being dragged down by being universal information providers, responsible that all provided is correct. The Heads of certain Departments should also create correspondents among the public to inform them, write their "monographs" and "essays," do them little services in arranging agricultural experiments, and so on, and they should do this without utilizing the time-worn machinery of the district office; each avoidable reference causing extra work to which should be avoided.

Our Government is too impersonal from the Viceroy down to the Assistant Commissioner, but it becomes less and less so as the lower ranks are approached. Considerations of revenue are a dominating factor in the Government of some provinces. It was largely a predominating factor in this province, I think, some years back, but there has been a change for some time past.

Executive Officers have not sufficient opportunities for personal contact with the people, and the now restricted opportunities will become less and less unless there is reform on some such lines as I have indicated.

I have served in 10 districts. My Urdu does not enable me to speak properly or understand easily the different *patois*. (But similarly I could not easily understand "Norfolk" when living in that county recently.) I regret I was not taught and made to pass in Punjabi however. Urdu and the general or "common tongue" of a province are all that an officer can reasonably be compelled to learn. But the knowledge of Urdu script should be enhanced by all possible means. Inability to read it accounts for much interior mal-administration in districts. This is a most important disability at present.

The administrative staff is adequate (and as large as the District Officer can control) were it not for the

burdens imposed. It is no use increasing the staff, or except in special cases splitting up the districts, while the causes remain, since, as previously explained, even greater evils would thereby be courted.

If Commissioners by any chance become the only intermediates between the Deputy Commissioners and the Local Government, greater care on selection would have to be applied. At present regarded as "the fifth wheel on the coach," even mediocre men, or supine men, can be regarded as unobjectionable as Commissioners, while for the Financial Commissionership men of marked ability are in request.

All authorities are aware of the objection to frequent transfers and, within limits, make them as seldom as possible. It is these limits which require attention. If there were a rule that no man outside a district (or the division, failing a fit man in the district) should be brought in to fill a vacancy not lasting longer than three months, a number of transfers would be avoided. At present "not longer than six weeks" is the condition observed. It is so considered, I believe, in order not to stop appreciable enhanced pay and promotion of acting kind, but the disadvantages of bringing in a man from outside, if it can be avoided, are so great that I think "three months" should stand for "six weeks."

Regarding the question how far the powers of local bodies could be enhanced, answer would be differently influenced if after "how far" in the question either the words "for the public good" or the words "for ethical education" were inserted. If the former, I am afraid I would not answer in the affirmative, except with restricted meaning. If the latter, I would answer that potential eventual gain would have to be set off against certain risk of waste of rates paid by ratepayers. Local bodies might have their functions suitably extended when they, in any individual case, show that they intelligently and energetically exercise the functions which they have already.

The District Officer in order to feel the pulse of his district consults first a council of his officials and then, if need be, the people as represented by deputations, and I have suggested that the same methods should be followed by Lieutenant-Governors, Governors, and Governors-General to the exclusion of the idea of permanent Councils of irresponsible non-officials. It follows that I do not consider that District Officers need permanent Advisory Councils of irresponsible non-officials. That District Officers are being more and more precluded from feeling the pulse of their districts in the way already indicated, but the remedy lies, not in such confession of inaptitude and weakness as the establishment of permanent Advisory Councils of irresponsible non-officials implies (however politically desirable this may seem to some from certain points of view), but in the adoption of some such reforms as are indicated in the said answers, an adoption which would restore touch between officials *inter se*, and between officials and the people all along the line, from bottom to top and from top to bottom.

Until District Boards intelligently and energetically manage their own affairs, to invest them with powers of supervision over other bodies would be illogical. At present they do not so manage their own affairs. This may be the fault of the Presidents (the Deputy Commissioners) or of the members, as the case may be. I do not believe the members would say or think it was the fault of the Presidents: if they answered unprompted. However, it may be that the President's very energy paralyses the members' energy which might otherwise exhibit itself. There is a strong feeling in some quarters of letting the experiment be tried of the President doing nothing, or of his removal. All that can be said is that the Deputy Commissioner should not be held responsible for the results of such experiment. Let it be tried for one year, two years, or three years, in any district; and then have an inspection of the roads, &c., and an audit of the accounts. This would be a fair experiment.

The village community which has from the force of circumstances become coupled with the word "desuetude" would first have to be re-habilitated before increased administrative functions could be given to it.

39578. Would you subscribe to the statement that it should not be in the power of any one, without the special orders of the Government, to take any action in a district against the judgment of the Commissioner or the Deputy Commissioner?—Distinctly.

39579. Is that recognized in the Punjab at present?—It is in most cases; there are one or two exceptions.

39580. For instance, in the matter of excise, what are the powers of the Deputy Commissioner?—His powers are very considerable under the Act and rules under the Act, but they have been curtailed lately by correspondence outside the scope of the Act and rules.

39581. Who has the immediate management of the excise in the district?—The Deputy Commissioner. He appoints one of his Extra-Assistants as a rule as his agent, but he directly deals with excise.

39582. Then are all local details as to excise regulated by the orders of the Deputy Commissioner?—Yes. I personally regulate excise, because I know a good deal about it as I was Excise Commissioner once, and I attend to it very closely myself.

39583. Has every Deputy Commissioner power to regulate matters?—Yes, but of course there is an Excise Commissioner under whose advice he has to act in a great many ways as to things of general application to the province.

39584. You spoke just now of a curtailment of the Deputy Commissioner's powers; to what did you refer?—I think the correspondence arising out of the Excise Committee and occurring between the Government of India and the Punjab Government has been the cause of a lot of indirect instructions, as they may be called, or rulings or decisions, to which an officer is expected to refer, outside the scope of the Act and the rules. For instance, the other day I had some correspondence with the Financial Commissioner about some things which I proposed to do, which I thought were covered by the rules, but I was told there was something in correspondence, which I had not had time to refer to, which was against my doing it, although the rules themselves gave me absolute power.

39585. You are scarcely in a position to say what the effect of the Excise Committee will be?—At the present time I have seen huge volumes of correspondence which have been called for since it sent in its report, and they were all sent to me for my opinion on the different points raised, but it was a very difficult position to put me in, as I was a member, and I could not go into details as to what my individual opinion was.

39586. I understand the Deputy Commissioner at present has practically sufficient power in excise matters in the district, but what the result of the Excise Committee will be, you are not prepared to say?—The Deputy Commissioner has sufficient powers, if he is let alone, under the Act and rules, that is, if he is allowed to interpret the Act and rules as they stand, without being told that there is some correspondence behind them.

39587. But is he told so?—Yes; he is. I have quoted a specific case.

39588. Then is it the case that the existing rules are satisfactory, but that the tendency is to interfere in the direction of limiting the Deputy Commissioner's control?—That is so. The rules themselves give him very wide discretion, but the correspondence limits it.

39589. It has been stated that Deputy Commissioners have to try all Sessions cases; what is the meaning of that?—That refers to section 30 cases, I fancy, homicide cases, and so on, and not Sessions cases.

39590. Do Deputy Commissioners appoint their own kanungos?—They have a list, and they actually appoint them inside the district from the list.

39591. Do they appoint their own excise subordinates?—Yes; they have the power and they do; but they very often consult the Excise Commissioner about it.

39592. Is that at their own discretion?—I think it is laid down.

39593. But the final power of appointment lies with them?—Subject to the Excise Commissioner's approval.

39594. Is the Excise Commissioner equal in rank and pay to the Divisional Commissioner?—No. He gets the pay of his grade as a Deputy Commissioner.

39595. Does the Deputy Commissioner appoint his own staff, his head clerk, and other officers?—Yes,

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subject to the approval of the Commissioner of the division in the case of the head clerk and the superintendent of his vernacular office.

39596. Does the Deputy Commissioner appoint patwaris?—Yes.

39597. Mention is made in one statement of a recent order as to the appointment to staff offices; is that a new step?—That is the case in the offices I have mentioned of head clerk, and so on. It occurred after there was a gradation list formed for divisions. They wished to make the list so that men would be more readily transferable and interchangeable between different districts, and at that time this order was brought in.

39598. Is that to make sure that there are no aberrations from the list?—It is, because the Commissioner may have a man on his list whom he wants to put in as superintendent of the vernacular office, say, and he can look at that man's claim.

39599. Do you think that tahsildars are efficient and honest as a class?—I think, as a class, they are a very capable lot of men and do extraordinarily well in their tahsils.

39600. Is it desirable that they should have more power? For instance, I understand that they cannot give casual leave to a man in their office?—That would be a small matter which I dare say the Deputy Commissioner would even grant on his own initiative if they suggested it.

39601. Is it desirable that tahsildars should have rather more power than they have in order that their authority may be strengthened?—Tahsildars have enormous authority as it is. You often hear it said that a Deputy Commissioner has not the authority that they have. They have the people under their immediate charge, and a strong tahsildar has enormous authority.

39602. Are you the Chairman of the District Board in your district?—Yes.

39603. Do you preside over the Local Boards as well?—No, only over the District Board.

39604. Is there a tendency in these days to impose too many responsibilities on District Boards, and, on the other hand, not to give them enough funds?—Yes, the Boards are always poor.

39605. Are they called upon to do more than they fairly should be expected to do, and is a greater share of the burden of the State cast upon them than ought to be. For instance, till lately has not the cost of the police been imposed upon municipalities?—Yes, but that has been taken away now.

39606. Are all the roads in a district under the care of the District Board?—No; there has been a good deal of change of policy with regard to that. At one time in the province the idea was to put the roads under the Boards, but not without adjusting the finance question.

39607. At present have they more to do in the way of maintaining roads than they can afford to do?—Taking this district, the District Board has nothing to do with the roads, except such as are unmetalled and there is nothing much which can be done with them. The metalled roads are in charge of the Public Works Department.

39608. Do they not make any attempt to keep up the unmetalled roads?—It is almost an impossible thing to do; you cannot do anything. It is friable soil, and I do not see how you can do anything with them.

39609. You can fill up holes?—Yes, but you cannot do much to an unmetalled road; you have generally to depend on the natural surface.

39610. Are there not a good many village wants in this district, such as water-supply, for instance?—They have their wells.

39611. Who keeps them up?—The village people themselves.

39612. Is there not a legal obligation on the District Board to keep them up as far as they can?—I have made wells in districts in which there are very long stretches of roads without any drinking place on the way, but my experience of a District Board is that the margin for Public Works is so small that, as I am very

strong on metalled roads, I find always that I have exhausted my Public Works margin, whatever it was, on the surface repairs. I refer to districts in which the metalled roads are in the charge of the District Board.

39613. Is there not a certain demand in villages to supply which is an obligation on the District Board, but it cannot be supplied owing to want of funds?—I do not know that there is any implied obligation on the District Board to provide for the wants of villages.

39614. Is not that one of the cardinal points of local self-government?—Not as to the interior economy of a village, because they have a constitution of their own and a fund.

39615. Do you mean to say the object of the Local Board or the Local Fund is not primarily to supply water and look after roads, and so on?—I thought you referred to the villages themselves and the wells; those are minor points, and the keeping of them in repair would primarily rest on the village.

39616. The District Board does not recognise any obligation?—Not in the case of keeping up a village well; I do not know that that has ever been considered a first responsibility on a District Board. It would assist a village in difficulty to obtain water certainly; I have done that in districts, and, of course, I accept the theory that roads and all Public Works, which would help and benefit villages, are the first responsibility of a District Board.

39617. Is it not the fact that the Boards cannot discharge that responsibility to the full on account of want of funds?—Yes, that is so.

39618. Have they to provide for lunatics?—Yes.

39619. Have they to provide rest-houses?—As a rule, the rest-houses are built by the Public Works Department of Government, and handed over to the District Boards for maintenance, with a grant.

39620. The Building grant comes from Government, but the maintenance has to be paid by the District Board?—A grant is given to the District Board when it is handed over.

39621. Then there is no burden falling on the District Board?—No, not by the contract system.

39622. Would you give power to village panchayats to spend money upon Public Works; for instance, supposing they wanted a well, would you make them a grant and allow them to spend the money at their own discretion without any other supervision; are things ripe enough for that in the Punjab?—I have done that myself; in cases where a well was required I have advanced money to the headmen on their responsibility, and they have executed the work.

39623. Then you think it is possible?—Yes, certainly with regard to small works like the construction of a well.

39624. How far do you give them control over village schools?—They very often supply the school house from some building available in the village, but they do not interfere, except in a few cases where there are intelligent men who take an interest in the subject, with regard to the management.

39625. Do you appoint village committees on behalf of the villagers?—I have only been in this district five months, and I have not yet come in contact with any such appointments here, but in Delhi School Committees were advocated in the Educational Department, and we did appoint a certain number about the district.

39626. Would it be possible to give more control over schools to the villagers than they have at present?—It would be possible.

39627. Would you begin to do this in villages generally, or would you select certain villages to begin with?—I would decide the principle first as to how far the Educational Department is to run the education system on its own unaided intelligence, merely getting the funds provided by local bodies, before I would go into the question of villages.

39628. Are not the two things quite distinct; I am suggesting that a good deal of the power which is now in the hands of the Educational Department should be handed over to the villages?—My meaning was that the major question arises in connection with



the municipalities, and while it is not decided with reference to municipalities (as I do not think it is quite), I do not know what to say.

39629. Would it be safe and advisable generally to hand over more powers in regard to local matters to representatives of villages; are things sufficiently advanced for that in the Punjab?—I really do not know what you could hand over to the headman of a village.

39630. For instance, power to keep the village clean, to run the school, to manage small Public Works, such as wells, and so on?—The conservancy of the village, such as it is, if it ever occurs, only occurs when the Deputy Commissioner works it through a tahsildar. They do not want power to keep a village clean given them; the difficulty is to make them clean it, and they generally neglect the conservancy and trust to a hot sun, and perhaps they are not so very far wrong. Certainly, in regard to little matters like the sinking of a well, I think they would be the best people to utilise.

39631. (*Sir Steyning Edgerley*) Am I correct in understanding that the views you place before us is that the real administration of India rests in the districts, and that the present danger is that the superior officers are more or less out of touch with the people?—Yes.

39632. I do not quite understand how your suggested remedy would work. Suppose an Inspector-General or a Member of the Viceroy's Council was made a Member of the Local Government; he might come to the Punjab and spend part of the cold weather here, but in the meantime what would the rest of the provinces be doing? Would it not take a long time for Imperial Officers to get round India on that basis, unless you increased the head-quarter offices greatly?—The present Member of Council has to attempt to go round the country in the cold weather.

39633. Yes, but he does not sit at the Council Boards and help to decide actual questions in the province?—I realise that difficulty, but I meant by the suggestion the subordination of Departmental Officers to the provincial Governments.

39634. What you really mean, I take it, is that officers of the Inspector-General class should be advisory and not have any powers of administration?—Yes, and also that some expedient should be devised to get rid of the tremendous amount of correspondence which arises under the present system, through the Members of the Government of India not being in close enough touch with the provincial Governments.

39635. That is to say, taking it from another point of view, that the Government of India try to go into many matters of detail which they should leave alone?—They are always trying to inform themselves from a distance as to detail, and trying to master details on paper which would be more conveniently dealt with orally or by personal contact.

39636. Then you say that your own office is very weak and inefficient; what do you suppose it would cost to make your office what you would consider to be efficient?—I have just put in an application for an increase of staff, and Sir Denzil Ibbetson agreed to favourably consider it. When I came here I took over an office which was practically at the point of breaking down, so I overhauled the whole thing and sent in certain proposals which will not involve very much cost—I should think only a matter of Rs. 200 a month extra.

39637. In most of the districts you know, would an extra Rs. 200 or Rs. 250 spent in the offices of Deputy Commissioners render them efficient?—I should think certainly it would not be more than that.

39638. That would be about Rs. 75,000 a year in the Punjab?—Yes, say, for 30 districts.

39639. Was your scale prepared on what you thought you would get, or was it prepared on a free estimate of what you thought you ought to get?—It was prepared on what I thought I should get—the least we could do with.

39640. It was a minimum?—Yes. If I had wanted to raise a general question and take up a much larger question, and you ask me now whether I think district offices should be made stronger, I think our class of head clerks should be improved, because at present such a tremendous amount of

ministerial work devolves upon a Deputy Commissioner owing to the indifferent clerical establishment he has. He has to compete with very well equipped offices which send references to him, and he has to be practically his own clerk and secretary so far as any high-class work is concerned.

39641. Then you really want rather more?—Yes, I do. If I could get one, I should like a shorthand-writer, for instance; at present I am using a vernacular writer as a shorthand man.

39642. Then I gather that you think that either the Commissioner or the Financial Commissioner is rather a redundancy in the administration?—Yes; the two appointments overlap.

39643. Would the Commissioner be sufficient, and could the Financial Commissioner be dispensed with?—Yes.

39644. You suggest that the Deputy Commissioner and, I suppose, the Commissioner should have some power of drawing on the treasury in emergencies; can you suggest any limit for each occasion?—Yes; the amount a Deputy Commissioner might draw on each occasion could be fixed, and also a limit might be fixed within the year to keep him in bounds.

39645. What would you suggest as a limit for each occasion—Rs. 1,000?—A limit of Rs. 1,000 would be a great relief; if he could draw it on his own personal order, and make his Treasury Officer cash an order for Rs. 1,000, he would be very grateful.

39646. Would that suffice?—I should think so, because in cases of big emergencies he would write for sanction.

39647. What is your opinion as to the present Court of Wards Act?—I think that it is a centralizing Act.

39648. You, of course, are well acquainted with the old system. Would you prefer to go back to the old system, or would you like a modification of the present?—I should prefer a modification of the present Act. The Financial Commissioner has just sent down a schedule of proposals for delegating powers under the Act which I have not been able yet to look through. I mean that all the authority should not be drawn up, but that it should be decentralized.

39649. Do you think it well that the Financial Commissioner should have been made the Court of Wards, or would it have sufficed if either the Deputy Commissioner or the Commissioner acted?—The actual Court of Wards is the Deputy Commissioner, but the Financial Commissioner certainly ought to be introduced as an authority in the Act, so that he might be able to dispose of cases in which the property of wards extend to various districts, and even to different provinces.

39650. Then you do not object to the principle that the Financial Commissioner should be the Court of Wards, but you want wider delegation?—Yes; it would not matter much who was called the Court, so long as the powers were delegated, and constant references to two officers avoided.

39651. It would matter to this extent, that you are advocating the necessity for some power of reference outside a province in some cases?—Yes; that would be so when the land is scattered, but those are only occasional instances.

39652. In many of your districts in the province is not the administration concentrated at head-quarters. By the sub-divisional system, is it meant that you would break up the district into sub-divisions as in Madras?—I have had two districts with sub-divisions in them, and I think they are a relief, but I am rather in favour of having one Head to the district.

39653. What is the average size of your district?—I have four *tahsils* here, and I have a sub-division in this district with a Sub-Divisional Officer having two of the *tahsils*.

39654. What would be the size of the district—three or four thousand square miles?—Roughly that.

39655. Is that not too much to run in all details from one centre?—No. If a Sub-Divisional Officer is an experienced man, he helps you very greatly, but if he is a young boy, he does not help you very much.

39656. It has been suggested that it might be possible to improve the village chaukidar by taking

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pensioned soldiers for appointments of that sort and at the same time it might possibly help the Army Reserve; is there anything in that suggestion?—There are a great many considerations which would come in, and it would require very close attention. For instance, the *chaubidar* is generally a resident of the village, and it is best that he should be, and a man transplanted from somewhere else and sent there might not work.

39657. You think that really it is hardly feasible?—I should doubt it, and I do not think the villagers would like it.

39658. (Mr. Meyer.) Who appoints the *chaukidars*?—They are appointed in consultation with the *lambarbars* by the Deputy Commissioner.

39659. Is it necessary that the Deputy Commissioner should appoint *chaukidars*; could not the *tahsildar* appoint them?—I do not know why he should not, except that the reports as to the fitness or unfitness of *chaukidars* come generally to the Deputy Commissioner from the Superintendent of Police, and he then refers them to the *tahsildar*, but he almost always takes the *tahsildar's* opinion.

39660. Who appoints *lambarbars*?—The Deputy Commissioner.

39661. With an appeal to the Commissioner?—Yes.

39662. What is the *zaildar* exactly?—A *zaildar* is the headman of a *zail* which consists of so many villages, and he, as such, is superior to all the *lambarbars*, and is the head non-official helper of the Deputy Commissioner in that *zail*, getting in return an honorarium from Government.

39663. Has he anything to do with revenue collections?—Yes, a good deal. It depends on the idiosyncrasies of the Heads of different districts, but in this district he is used a good deal in that way.

39664. How many would there be in a *tahsil*?—About 20 perhaps.

39665. Are they hereditary?—No, absolutely not—that is expressly against the rule.

39666. I saw a statement in one witness's evidence as to minor *zaildars*; would you put in a minor?—I should never do it personally; it is allowed for as to *lambarbars* by the revenue rules and regulations, but I have not heard of a minor *zaildar*.

39667. Do they clash with the *kanungo*?—No.

39668. Has the *kanungo* nothing to do with collections?—No. He reports on land measurement, crop returns and inspection; he is an official absolutely, and not a non-official like the *zaildar*. Of course, it is absurd to liken the *zaildar* to a lieutenant of a county, but in insignificant way he is such a representative of a *zail* and is a local notable.

39669. And a person of real influence?—I find them very useful.

39670. Do you make them Honorary Magistrates?—Yes, occasionally they might be made Honorary Magistrates, but Honorary Magistrates are very often taken from even a higher class than a *zaildar*.

39671. Then you also occasionally have an Honorary Extra-Assistant Commissioner; what does he do?—That is more of a compliment than anything else.

39672. You do not assign to him revenue functions?—I have never had an Honorary Extra-Assistant Commissioner in my district, but I know of one or two cases in which Government has appointed them in the province.

39673. Do your revenue staff deal with civil work; do the *tahsildars* have civil suits to deal with?—They are *Munsifs ex officio*, but I do not think they do much civil work.

39674. And your Assistant and Extra-Assistant Commissioners?—They are given *Munsif's* powers when they are appointed to the district.

39675. Are they much exercised, or is the bulk of the civil work done by a separate full-time *Munsif's* staff?—The bulk of the work is done by the special men appointed in the Judicial Department, although they may form part of the district staff; for instance, I have an Extra-Assistant Commissioner who does civil work solely.

39676. You have not a separation; you have not the *Munsifs* in an entirely separate list, but you may have a man as a *Munsif* one year and as a Revenue Assistant in another?—We have a *Munsifs'* list in the province, men who are *Munsifs* and nothing else.

39677. Are the *Munsifs* of two categories, the professional *Munsif* and the Extra-Assistant Commissioner who disposes of *Munsif's* work?—Yes.

39678. In the absence of a sub-divisional system, what does the ordinary Assistant Commissioner do?—I have two Assistant Commissioners at present.

39679. I would rather not take Lahore, but some other district?—In the course of my experience I have had a tremendous lot of Assistant Commissioners to put through training, and that is one object of their being attached, especially in the early part of their career; but how they are to be employed lies entirely at the discretion and intelligence of the Deputy Commissioner, who can make much or little of them just as he wishes. The Assistant does criminal work according to the extent of his powers and civil work, and he is often put in charge of the treasury; he does revenue work in the cold weather, and tours, but the amount of special work that is given him is in the discretion of the Deputy Commissioner. Personally, I work my Assistant Commissioners a good deal, make them boil down files, put up notes, and whenever I get a case of some difficulty I send them out to act as my agents and do the preliminary work, and to do preliminary work for land acquisition, and in every way I use them as lieutenants in aid.

39680. Is it possible for an Assistant Commissioner to get his appointment as an acting Deputy when he has only done magisterial work, or is acquainted with excise and treasury work, but not with the regular work of a district?—He would have acquaintance with revenue work, because it has always been the object in this province to send a man out and put him through a revenue course almost as soon as he arrives.

39681. Would he have done all the work of a Deputy Commissioner then on a small scale before he became a Deputy Commissioner, or might he be quite ignorant on some of the subjects?—He would be still educating himself when he took over charge, undoubtedly.

39682. The sub-divisional system in Madras, for instance, ensures that a man at the time he begins to act as Collector knows a Collector's work pretty well. He only does it on a bigger scale than he has already done it: is there not some advantage in that?—Yes.

39683. Most Deputy Commissioners complain that they are overburdened, and if you could decentralize by sub-divisional charge, would not you relieve them materially?—Yes, if properly worked. It makes another officer to communicate with, and I should say that sometimes a Deputy Commissioner would prefer to deal direct with the *tahsildars* without any Sub-Divisional Officer. There is simplicity in the one way, and in the other way a smaller office is created in which there has to be English correspondence, and so on. But in a troublesome part of a district a good strong Sub-Divisional Officer would be of very great use.

39684. If you have the sub-divisional system, should the Sub-Divisional Officer live in his own sub-division or at the district headquarters, and tour a good deal in the sub-division in his charge?—I have never considered that. In some ways it would be convenient, because if he were at headquarters one would be able to deal verbally with things which would have to be referred to his office if he were outside. On the whole, I am not sure that I should not prefer to have him at headquarters.

39685. On the other hand, from the people's point of view, it is rather an advantage that he should be at hand in his sub-division always?—Yes, but I have often wanted to talk to my Sub-Divisional Officers, and have had to postpone doing so because they were away.

39686. In one place it might be convenient to have them at headquarters, and in another place to have them in their sub-divisions?—Yes; if the tract was troublesome, certainly it would be better that he should reside in the centre of it.

39687. Suppose, while you were an Excise Commissioner, it had been ruled that you were to be subordinate to each of the Divisional Commissioners and also to the Financial Commissioner, could you have done your work successfully; would you not have found you were serving many masters with different views?—Yes; it would have got one into a pretty good tangle.

39688. Would not the same thing happen to your Imperial Inspector-General when you propose that he should serve eight Local Governments and the Government of India, in addition?—I am not sure that the case is at all parallel; in my correspondence as Excise Commissioner I should have had to refer to all the Commissioners and send everything concerning their divisions through them.

39689. If the Director-General of Education is to be subordinate to the Government of Madras and the Government of Bombay, and so on, and at the same time subordinate to the Government of India, would he not find it rather difficult to serve several masters with divergent views?—As a Member of Council you would not be able to call the Government his master.

39690. But I understood you to say that the Imperial Inspector-General was to be quite a subordinate?—Yes, in the way that he was to sit on the Council of the Local Government.

39691. You say, "Directors and Inspectors-General should be subordinated to Local Governments; I contemplate that Members of the Viceroy's Council should be *ex-officio* Members of the Councils of the Local Governments"—That is what I meant.

39692. Now you say that the Inspectors-General should also be on the Councils?—Yes; for instance, the Inspector-General of Excise, when going round, would attend.

39693. Then there is another difficulty, in the Punjab, that you have no Council?—We have not, I admit, but he could still sit in committee with the revenue authorities which represent the Board of Revenue.

39694. You do not mean that the Lieutenant-Governor might threaten an Inspector-General with suspension if he did not carry out his views?—When I say subordinate, I do not mean subordinate any more than the Members of Council are subordinate to the Viceroy at present.

39695. Is the Deputy Commissioner the President of each municipality in his district?—No, but of the headquarters one. I am President of the headquarters, Lahore, municipality, the tahsildars are Presidents of minor municipalities within their *tahsils*, and the Sub-Divisional Officer is President of his headquarters municipality at his sub-division, that is to say, where there is a Sub-Divisional Officer.

39696. So that there is no non-official Chairman at all?—No.

39697. Do you have non-official Vice-Chairmen?—On both the District Board and the municipality in Lahore there is a Vice-President who is non-official. In the municipality there is a Muhammadan gentleman belonging to the Nawab's family who is a non-official, and the other Vice-President is an officer of the Railway department who has no connection with me officially except as my Vice-President.

39698. Would Amritsar have two Vice-Presidents?—Yes; at Delhi they have two, and probably they would have two at Amritsar.

39699. Is one generally an official and the other a non-official?—No; at Delhi they were both non-officials.

39700. Is the District Board Vice-President usually a non-official?—Yes.

39701. Have you Secretaries to municipalities and District Boards?—We have a Secretary to District Boards and to all big municipalities, while lately they have been appointed even in most small ones.

39702. Is he paid or is he an honorary official?—He is paid in the big municipalities.

39703. Are the District Board Secretaries paid?—Yes, often, but he is often, or sometimes, one of the Assistant Commissioners or Extra-Assistant Commissioners.

39704. Are the Assistant Commissioners, who act as Secretaries of District Boards, paid by the District Boards?—No; they are not paid; they act *ex-officio*.

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39705. What is the method of selecting members for a municipality here?—We are going to have 20 elections next June, and it will be rather an upheaval for the town. There is a proportion of nominated members, but there are 20 who are elected.

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39706. Roughly speaking, what is the proportion—would it be one-third nominated and two-thirds elected?—Yes, something like that I should say roughly.

39707. Does that system obtain throughout all the municipalities?—I think so, except that there are some municipalities where all the members are nominated.

39708. Would they be the smaller municipalities?—Yes, in some cases when there are factions and you cannot get things done, you have sometimes to nominate.

39709. Are the members elected by wards?—Yes.

39710. Speaking generally, do the electors take some interest in what is going on?—The elected persons take a greater interest.

39711. Is there anything to indicate that there is any popular interest taken in elections?—There is in the elections for municipalities, but with regard to the District Boards there are very seldom polls.

39712. Is there more public interest taken as a rule in municipal work than there is in District Board work?—I do not know whether that would be the proper way to put it; whether there is any greater interest or not amongst the electors I do not know, but certainly there are more pushing men in the towns, and they stand for election on the Boards and stir up the electors, and so on, and there is greater public interest to that extent. It is probably the same all over the world.

39713. Do those people who stand for election become good workers and take a keen interest in the work, or are they satisfied with the prestige which the position gives them and rest on their laurels?—No municipality is what people would wish it to be, but both at Delhi and Lahore I have a fairly good opinion of the members and the way they attend the meetings.

39714. Do they take a keen interest in their work?—I think a good many of them do.

39715. Might municipalities have wider powers in regard to appointments, for example? What are their powers to-day—can they make fresh appointments?—Yes, they can within their own sphere, but there is a limit as to the maximum amount of pay. I was President at Delhi for two years just as I am now President here in Lahore and I never remember any difficulty through the reins being drawn tight in that direction. Of course we have appointed, both here and at Delhi, a highly-paid Engineer from England, and in those cases we took the Government into consultation.

39716. But, apart from that, the powers of the municipality are fairly free in the way of appointments?—I think so.

39717. Have you a fairly free hand with regard to expenditure?—I think so.

39718. Up to what limit can you spend money on Public Works without Government sanction?—We have to refer any work that will cost over a certain amount; Rs. 10,000, I think, one would have to refer, and I do not object to referring in big cases, because a second opinion is a good thing.

39719. Is it desirable that municipal schemes should be referred both to the Public Works Department, the Sanitary Department and the Sanitary Board, or would you try and cut down the procedure at all?—The present system is laborious. The plans and estimates have to go to the Superintending Engineer for his approval; then they have to go to the Sanitary Engineer as well, and before the Sanitary Board; then eventually they have to go to Government for sanction in the Public Works Department, and as we have a great many projects now in hand and are taking out a loan of 14 lakhs, I look with some apprehension at all this machinery which has to be gone through.

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39720. What would be a reasonable way of curtailing the present procedure?—The Sanitary Board is a body which is most difficult to deal with, because it is composed of men who have their own duties distinct, and as they only occasionally meet as a Board, there is nothing fixed about the Board's identity.

39721. Who do the members consist of?—The Sanitary Engineer, the Deputy Sanitary Engineer, the Commissioner, and the Financial Commissioner and one or two more perhaps, and as they only meet every now and then at considerable intervals, schemes must be kept waiting, and it is difficult to get through a loose body like that. A scheme is generally considered sufficiently beforehand for it to be passed right off.

39722. Would it be enough to refer these schemes simply to the Sanitary Engineer?—If the Sanitary Engineer passes them, and they are passed by the Superintending Engineer, or Chief Engineer, I really cannot see why that should not be sufficient.

39723. Is that what you would recommend?—I think so; anything that would simplify the present somewhat laborious method.

39724. Would it be practicable to have an unpaid non-official Chairman in Lahore?—I do not know whether the experiment has been tried elsewhere; it certainly has not been tried in this province, and I do not know whether it has been anywhere else.

39725. Take the case of Bombay, where they have a non-official Chairman?—They have a non-official Chairman, but with a Municipal Commissioner appointed by Government. I should be very sorry to see the municipality left to the management of a non-official Chairman either at Delhi or Lahore, or Amritsar, or in fact at any of these big places, if he was to be expected to do all that the Deputy Commissioner does now.

39726. But suppose he was not, and that the executive work was taken out of his hands and given over to a Commissioner?—I do not do any routine executive work in connection with the municipality; there is a paid Secretary who does that; I do not do any clerical work except draft important letters now and then; I control the members in the way of making them pull together; and with regard to all big schemes and affairs I give attention to them as far as I can; and I try to get all the affairs of the municipality in good order. It is a very large body of men to manage; there are Europeans on it as officials, and you have a large body of subordinates, Eurasians and Europeans and Indians, and a large body of members. What enables the Deputy Commissioner to manage it is that he has got his official position behind him.

39727. You think it would not be wise, at the present stage as any rate, to have a non-official Chairman, with a well paid and responsible Municipal Commissioner or Secretary? The Municipal Commissioner would have more power, of course, than the Secretary has to-day; he would be in the position of the Commissioner in Bombay?—I should not like to see that happen, and I do not believe the municipality itself, or the town, would prefer it.

39728. How often do District Boards meet?—There is a limited number of meetings; I think it is about once every two months, or six weeks perhaps.

39729. Do a fair proportion of the members attend?—There is no difficulty in getting a quorum.

39730. Many of them probably live a good long way off. Do they come fairly readily?—Yes; I think they like to come in to headquarters, and to come and see the authorities and attend the meeting; it is an outing for them.

39731. Are there any *tahsil* Boards below the District Boards?—No.

39732. Are there no committees of the District Boards, even in respect of each *tahsil*?—No. We do appoint sub-committees now and then, but there is nothing below the District Board; there are no Local Boards.

39733. Have you a sub-committee for Finance, a sub-committee for Public Works, and so on, or are there sub-committees for this or that *tahsil*?—No; we have no standing committees really.

39734. Would it be a sound thing to have a committee for each *tahsil*?—No. I have prepared a note

on the whole subject of District Boards, which I should like to hand in. It is a note showing how and why District Board administration becomes closely centralized, and how and why decentralization, however desirable, appears estopped more by circumstances than by design; the first memorandum shows the aspirations of the sanguine decentralizer; the second shows how those aspirations are repressed from realization by circumstances. I wrote the first memorandum first of all to show how certain roads which were hung up in the sub-division might still be proceeded with. The Secretary sent the proposals to me, and said, "I am afraid we must leave these roads until the District Engineer comes." I have since appointed a District Engineer. I said, "No; I do not see why we should wait; let us send them to the Sub-Divisional Officer, and let him shove the thing along with the overseers in the *tahsil*." Then it occurred to me that the trouble was in connection with language and with clerical establishment, because there is no establishment; there is only a *muharrir* in the *tahsil*. Then I wrote the second memorandum, which shows, I think, how it is impossible to decentralize at the present time.

39735. Is it a sound position to take up that, wherever District Boards have got to pay, they should also have responsibility for carrying out the work?—I would not have a rigid rule of that sort. The principle is tenable, but I do not see why it should be rigidly followed.

39736. It might well be the case that in regard to a particular road, for example, the District Board might ask the Government to make it, and pay for it; but take education, is it sound that the District Board should make a large contribution and have no say whatever in the management of education?—I have been discussing with the Education Department whether it is possible to expect that municipalites, if they are pushed on one side by the Education Department, will take interest in the schools towards which they pay. Speaking as a Municipal Commissioner myself, I had often had that feeling; it is only human nature; if you ignore the wishes of an individual and simply want to tap his pocket, he will show resentment. Possibly the Education Department will find it hard to get any convenience or indulgence for a school in such a case, when it comes to the scratch. I think that does happen; I have seen cases of that sort; a playground has been wanted, or some little enlargement of the school-house, and the local body, out of the hurt and injured feeling that they have, have felt not inclined to come to the rescue.

39737. You think that, as a general rule, where they pay, as a matter of policy they should be given full administrative responsibility?—I think it is a good principle. I was talking to an officer in the Education Department the other day, and he mentioned the question of police; he said, "When the municipality pay for the police they do not expect to have any part in handling the affairs of the police." I said "No," because that was an administrative matter on which the peace and order of the place depended, and naturally the Government would not forego any part of their control there; but in the matter of training up the children of the municipality the parents naturally have a very lively interest. It is a great thing to get a municipality to take a pride in its school, and that you will not see if the Education Department absorb all the power and simply say that the municipality must pay. And, if that feeling gets into the heads of the subordinates of the department, they will certainly give offence to the people. I had a case the other day in which a school-master spoke of the municipality as if it were only a "milch-cow." Of course I dropped on him for it.

39738. All the same, was there not something in it?—But it was the position he took up; he said, "I am in charge here; the municipality has nothing to say at all." That is not an attitude that I like.

39739. (Mr. Dutt.) Is there a new Municipal Bill before the Government now?—Yes. I think it has gone up to the Government of India.

39740. Is that a nearer approach to the principle of which you spoke just now, that the authority that pays ought to have some control over the work?—I had no hand in the preparation of the Bill, except to

suggest on some minor points; whether the financial aspect of it is like that, or whether it is incorporated in the Bill, I do not know.

39741. At present have the municipalities sub-committees for doing different departments of the work, such as education, or the realization of taxes or assessment?—Yes; in all big municipalities there are standing sub-committees, varying in number. We have here sub-committees on Finance and on the Civil Lines, a City Sub-Committee, and one or two others; in Delhi they have a larger number.

39742. Who are the Chairmen of these sub-committees?—They have their own Chairmen, but if the President summons them to sit with him, he becomes *ipso facto* Chairman.

39743. Does the arrangement answer well?—I think these sub-committees are very useful.

39744. You have not got similar sub-committees in the District Board?—No; we have not. I appointed a sub-committee for Plague, but that was simply a special case; we have not got any standing sub-committees.

39745. If you had such standing sub-committees, would it improve the work and induce the members to take a little more interest in their own work?—I do not know that it would.

39746. If you gave primary education to one sub-committee, roads to another sub-committee, and so on, would you not get a little more work out of them in that way?—I am not sure.

39747. Is the man who collects the land revenue in each village the *lambardar*?—Yes.

39748. He is appointed by the Deputy Commissioner in consultation with the *tahsildar*?—Yes; the *tahsildar* sends up his proposals.

39749. Is each individual *raiya* responsible for the land revenue to the Government, or is the village collectively responsible for the land revenue due from the village?—The village is collectively responsible.

39750. At the same time, the *lambardar* gets it from each individual *raiya*?—He is able to ask for process against each individual *raiya*.

39751. If he fails to collect the whole amount from individual *raiya*s, then you have a right to come down on the village?—Yes.

39752. As a matter of fact, you seldom have occasion to come down on the village collectively?—Very seldom.

39753. Have you got any irrigation in the Lahore district?—Yes.

39754. Who is in charge of the irrigation works?—The Canal Engineer.

39755. Does he make the assessment and the collection also?—He makes the assessment, not the collection. The revenue authorities make the collection.

39756. Ought the revenue authorities to have some voice in the matter of assessment?—I have thought over that subject continually since I took over the work here, and I wrote an opinion on it to the Canal Colonies Committee. I certainly think they should have some voice. Also, the Deputy Commissioner should certainly have an opportunity of expression his views. For instance, we both prepare crop returns; we show so much as "failed," and they do the same; but no comparison is ever made between the two sets of returns.

39757. Do these assessments vary from year to year according to the crops, or is the assessment made for a certain number of years?—They are made according to acreage rates gazetted from time to time.

39758. Is the realization according to the number of acres under cultivation?—Yes; they make out their demand statement, and send it to us properly drawn up, showing the demand against each man, and that is calculated according to their own measurements.

39759. Suppose a cultivator objects and says, "The demand against me is not correct," would you look into it?—What I generally do is to make a reference to the Canal Officer, and ask whether the case of that village has been considered with reference to the extent of failure of the crops, and so on; I am not able to do more than that.

39760. Do you accept his report?—I am bound to, really, unless I made a reference on new lines; the thing lies in their hands entirely. I do it simply in the hope that I may draw attention to the thing. The *niladar* on the particular canal is the man who really does the assessment, and drawing the attention of the higher authority to the thing may be of some use.

(The witness withdrew.)

SARDAR PARTAP SINGH was called and examined.

39761. (Sir Frederic Lely.) You reside at Jullundur?—I do. I do not hold land in the Jullundur district. I am an Honorary Extra-Assistant Commissioner; I exercise civil and criminal powers. I have two large properties in Oudh, also some land in the Lahore district, but my estates are in Oudh.

Large financial powers should be given to provincial Governments generally with a view to afford prompt relief in matters like the following—remission of land revenue, *takavi* grants, famine relief, &c. If anything, some other province may require greater extension of financial powers than the Punjab, which is, ordinarily speaking, comparatively less in need of relief.

I would prefer investing the Local Governments with larger borrowing powers, enabling them to borrow from Indian and European banks on reasonable rates of interest. Moreover, the accumulated savings of Court of Wards estates may also be used for this purpose; thus giving them an advantage of permitting higher rate of interest than the one allowed by the Government paper.

I would suggest some delegation of further financial powers to provincial Governments for the purposes of the creation of new appointments and enhancement of salaries, &c. At present when the creation of any new appointment or some increment of salaries is proposed in various departments under a Local Government, it has been found to be a tardy process to obtain the sanction of the Imperial Government. It is a notorious fact that in some departments the staff is overworked and underpaid, but the elaborate process by which their salaries could be enhanced has deterred some Heads of Departments from moving in the matter.

The influence of the departments of the Government of India, hedged round as they are by certain chapter

and verse of departmental codes, tends somewhat in the direction of rigidity and uniformity. Uniformity in certain cases may be desirable, but an over-rigid scrutiny of the reports of the provincial Governments regardless of the superior knowledge of things possessed by provincial Governments would render, and possibly does render, the departments of the Government of India naturally impersonal. Considerable latitude must in the interest of efficiency of administration be allowed to provincial Governments on account of the latter possessing a better knowledge of requirements.

In departments primarily administered by Local Governments the upper hand and the dictatorial influence of Directors and Inspectors-General under the Government of India should be put an end to in order to avoid unnecessary friction and disagreement.

I would not recommend any curtailment of the existing privileges of appeal, nor subject them to the necessity of a certificate from the authority passing the order appealed against.

I do not think that the influence of provincial Governments is in the direction of excessive rigidity or uniformity, and certainly not in my province, because ordinarily the Head of the Local Government is in personal touch with the matters over which he exercises the power of control.

Executive Officers generally possess an average knowledge of vernaculars sufficient for ordinary purposes. Most of them are not in personal contact with the people owing to the heavy burdens of work and multifarious duties. They are often surrounded by self-seeking individuals who generally relate a good deal of bazaar gossip and waste the time of the officials, while the better informed people never trouble to call on them.

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Partap  
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The areas of district in my province are reasonable, but the staff require augmenting, as almost all the clerks are overworked.

Seniority should be adhered to except in very exceptional cases.

I have not noticed that officers have been transferred too frequently, but frequent transfers of officers are most injurious to the administration.

I am not in favour of any Advisory or Administrative Councils to assist Divisional or District Officers.

39762. Have you ever had anything to do with a municipality or a District Board?—I have just been put on to the municipality, in the last four months; I have not had much experience of that except as a resident of the city.

39763. Have you had any connection with the District Board?—No.

39764. What is your general view, as an outsider, of the success of municipal government?—On the whole, it is fairly successful.

39765. Do you think the ordinary municipality meets the wants of the people, without any undue interference?—I think so.

39766. Do you think that any changes are desirable in the management of these municipalities?—In some places the experiment might be tried of giving them non-official Presidents, either elected, or to start with, nominated. I would start with nomination, and then go on to election.

39767. Is the municipality elected, for the most part?—Most of the members are elected, and some are nominated.

39768. Would you advocate any increase in the number of the elected members?—I should say that a certain number at any rate should always be nominated.

39769. Would you advocate any increase in the independence of the municipality?—In the municipality in which I am working now we have certain sub-committees, a sub-committee for Public Works, a sub-committee for Finance, and so on.

39770. The work would be lighter if sub-committees were given more powers?—Yes.

39771. That rests with the municipality?—It should rest with the municipality.

39772. Do you think that anything further should be done in the direction of greater independence of Government control?—Municipalities have a certain amount of control over their finances now; if their control over their finances was a little enlarged, it would be better.

39773. Generally speaking, you would not emancipate them from all control?—No.

39774. (*Mr. Hichens.*) You said you thought that the experiment might be made of appointing non-official Presidents to certain municipalities; would you begin with the larger ones?—I would begin with the smaller towns, not with large towns like Lahore or Delhi.

39775. In the smaller towns would you find men prepared to come forward and give the necessary time?—I do not see why they should not. Some of the members are lawyers and educated people; they devote a good deal of time to municipal work, and are very keen on it.

39776. Have you a general knowledge of the district in which you reside?—A fair general knowledge; of course, I live at headquarters, and not having any land in my own district, I cannot give you any details.

39777. Speaking generally, have you heard any complaints with regard to the finances of the District Boards?—Personally I have not heard any; even if one does hear complaints of this sort, it is very hard to say anything about them until one has gone into the matter personally.

39778. (*Mr. Meyer.*) Are you not connected with one of the great ruling Chiefs, the Maharaja of Kapurthala?—Yes; he is my first cousin; I am organizing a Chiefs' Association.

39779. May I take it that you speak, not only for yourself, but that you represent in a way the opinion of a certain number of Chiefs in this province?—I could not say that at present, because my Association is

not quite organized yet; I have started the work, and in some of the districts some of the brother Chiefs have come forward and said that they would join the Association, but, as the Association is not a thoroughly organized body yet, I should not like to be considered as if I was speaking for others.

39780. You are an Honorary Magistrate?—I have been so for 13 years. I have first class powers, and powers to commit to Sessions.

39781. Have you done civil work as such?—Yes.

39782. Are there many gentlemen in your position who are given these powers?—There are not very many.

39783. Might that system be extended?—If you can get capable men to do the work, I should think it would be a very good thing. There is no one else in my own district so far, except another cousin of mine, and he is only exercising criminal powers, but in other districts there are men who exercise the same powers; there are, however, not very many in the Punjab.

39784. With reference to your remarks as to the borrowing powers of Local Governments, do you contemplate the Local Government's paying a larger interest than the Government of India now pay?—I should say certainly 5 per cent.

39785. That may be an advantage to the Court of Wards, or other people who lend the money, but would it be an advantage to Government?—No; it will not be an advantage to Government, but it will certainly be an advantage for the Court of Wards. In certain cases I have known a lot of their money to be idle, not utilized in any way.

39786. We were told that originally the Deputy Commissioner was the Court of Wards, and then they made the Financial Commissioner the Court of Wards; some witnesses rather regret that. What is your opinion?—I would certainly have the Deputy Commissioner as Court of Wards.

39787. Entirely?—Yes. Under the present system of managing the Court of Wards through the Financial Commissioner, every little thing has to be referred to the Financial Commissioner.

39788. But you might leave the local management in the hands of the Deputy Commissioner, and at the same time have a reference to the Financial Commissioner as to whether the estate was to be taken over, and as to a scheme of management?—Once a scheme of management is sanctioned by the Financial Commissioner, everything has to be referred to him.

39789. And that you consider objectionable?—Yes.

39790. You speak of the dictatorial influence of Directors and Inspectors-General under the Government of India; is that from personal knowledge?—No; but there is that influence.

39791. There is a possibility of it?—Yes.

39792. You mention the desirability of strengthening the hands of the Commissioner; how would you do it?—I would give him more powers. For instance, in all *zaildari* and *lambardari* cases I would give them powers. If a *lambardari* case came up before the Commissioner, the Commissioner's orders should be final.

39793. It has been suggested that the Commissioner might be more of a Sub-Governor; that he might have a budget of his own, and be able to appoint tahsildars, and to post Assistant Commissioners and Extra-Assistant Commissioners?—I do not think that would do, but the Commissioner should have more power than he has now. For instance, he should give leave to his own tahsildars.

39794. Would you give him the power to appoint tahsildars?—Power to appoint tahsildars, but not Extra-Assistant Commissioners.

39795. But Extra-Assistant Commissioners might be posted to such and such a division, and the Commissioner should be able to employ them in that division as he chose?—Yes.

39796. And similarly with Assistant Commissioners?—Yes.

39797. (*Sir Steyning Edgerley.*) You say that the staff of the various officers "is overworked and underpaid." Is that so to the extent of leading to dishonesty?—I should say so. I could give you several



instances in the vernacular staff; for instance, the *muharrir* in a sub-registrar's office draws Rs. 15 a month. Look at the important documents and the important work that pass through the hands of that man; somebody may come with a bond of Rs. 10,000 or Rs. 20,000 value which he wants registered.

39798. Have you personal experience of much dishonesty amongst these subordinates?—I have known of it; but in most of these cases it is very difficult to prove it.

39799. You think that the cause is the overwork and the insufficient pay?—Certainly; they get so little pay. Fancy a *munshi*, a man in an important position of that kind, getting Rs. 12 or Rs. 15 a month; and most of them have to put in 8 or 9 hours a day in most of these offices.

39800. Is the dishonesty greater in Government offices than among private employes?—I cannot say that.

39801. Are private employes much better paid?—Some are.

39802. May not the dishonesty be due to the general position of education at the moment amongst that class of person?—No; I do not think so.

39803. You tell us that superior-officers "are often surrounded by self-seeking individuals, who generally relate a good deal of bazaar gossip . . . while the better informed people never trouble to call upon them"—will you amplify that a little?—My personal opinion is that a man probably goes to an officer and tells him certain things, and that man will probably be treated better by the officer than a better class man who does not go very often to see him. Probably when the latter man went to see the officer he was treated in such a cold way that he does not care to go again at all. I should like to see the officers and the educated classes, and the better classes, come together somewhat more; and the lead should come from the officers.

39804. You do not mean that the better informed people never trouble to call on the officer; you mean that they do not trouble to call twice?—Exactly.

39805. They do call a first time?—They have in duty to call to begin with; we are all supposed to call.

39806. Suppose the Court of Wards takes over an estate, but cannot pay the debts, and therefore has to relinquish the management; does that lead to very adverse criticism of the Government?—I do not know of a case yet where that has happened in the Punjab.

39807. Do you mean that they never have given up an estate?—What I mean is that in most of the estates that have come under the Court of Wards, if they have been taken up for debt, or anything, the debt has been cleared and the estate has been given over to the minor, when he came of age, in a very flourishing condition.

39808. But suppose the estate is so involved that when Government come to look into it they find it is hopeless?—Then they will not take up the management; I should say they should not take up the management of it.

39809. But suppose they do not find that out until after they have taken up the management?—Before they take up the management they go thoroughly into the papers of the estate, and it is only after the Deputy Commissioner has satisfied himself on every point that the estate is taken up. I am simply presuming all this; but so far as the Punjab is concerned there is not a single case in which I have seen the Court of Wards fail in clearing an estate that they have taken up.

39810. In Oudh, do they fail?—I do not know; I do not reside in Oudh.

39811. You have not heard any adverse criticism based on the ground of failure to clear?—No, there has been none to my knowledge.

39812. (Mr. Dutt.) Is this Chiefs' Association which you are forming for the whole of the Punjab?—Yes, that is my idea. I am trying to work it.

39813. You say that you try a great many cases. Are they referred to you?—They are referred to me by the District Magistrate if I am not in charge of the particular *ilaka*. At present I am in charge of a particular *ilaka*; that is to say a particular *thana*, in my district, and all the criminal cases that occur in

that *thana* come to me. Other cases are referred to me too.

39814. And civil cases?—No. All the cases go to the District Judge, so far as those officers are concerned who are doing civil and criminal work, and the District Judge distributes the civil work to them.

39815. Are there many big landholders in the Punjab?—Yes; I do not know most of the districts by personal experience, but there are landlords in the Punjab.

39816. In those cases is the settlement made with the landholders?—I believe so.

39817. Are there any Benches of Magistrates in important towns?—Yes, at headquarters only; for instance, in my own district there is a Bench of Magistrates in Jullundur, where I reside; that is the head-quarters of my district.

39818. Are the cases tried by that Bench referred to them by the Deputy Commissioner?—By the Deputy Commissioner, or by the District Magistrate in other words.

39819. Is it possible to form such Benches in important villages?—I do not think you would find men there, except in a very few cases; you want on these Benches men who have got some sort of education.

39820. May there be a few villages in which it could be done?—You might say petty towns, rather than villages; there are such places where you might form Benches.

39821. Would it be worth while trying to form such Benches and giving them some small criminal powers, and also power to dispose of petty civil cases?—So far there are no Benches in the Punjab that I know of who are exercising civil powers; they only exercise criminal powers, and there they only have second class powers; that is so in my own town, and I believe it is the same in Lahore and other places.

39822. Are you in favour of extending that as far as possible?—If it can be done; that is to say, if you can find suitable men. But at the present moment I should say there are not suitable men.

39823. Not in any of the villages?—I should say there are very very few exceptions.

39824. In the matter of taking up or releasing an estate under the Courts of Wards would you not give the Financial Commissioner the power of passing the final order?—Certainly, as to taking up an estate; but as to the releasing of an estate after the minor has attained the age of 21, I think the estate cannot be held any longer.

39825. Are these minors generally educated in the towns?—Some are educated privately, but now we have the Aitchison Chiefs' College in Lahore. Most of them are sent there.

39826. You do not recommend any curtailment of the existing privileges of appeal to the Government of India, and you have the same opinion with regard to appeals to the Local Government. Do you think that the right of appeal gives the people some sense of security in the appointments which they hold?—Yes; and besides that any curtailment of the powers of appeal would be a political danger. Take the case of a Native Ruling Prince; he has a dispute with some of his villagers; the power they have to appeal to is the Government of India against the orders of the Political Agent or the Political Officer whoever it is; that power is highly cherished, and if they are not allowed that power, it is very hard on them.

39827. You said that you would give the Commissioner a little larger power and voice in the administration of his own division. Generally speaking, should he have a voice in all matters relating to Public Works, or Education, &c., with regard to his own division?—Certainly.

39828. Should he be allowed to settle what buildings or what roads in the division should be taken up first?—Certainly, but at the same time I would fix a limit.

39829. In what way?—I cannot describe that.

39830. In the same manner, with regard to secondary education, he should have a potential voice in that matter?—Yes.

39831. And the Director of Public Instruction should consult him in all matters relating to education within his own division?—Yes.

(The witness withdrew.)

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Khan Bahadur Mian MUHAMMAD SHAH DIN was called and examined.

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39832. You are a Barrister practising at Lahore. —Yes. I live in a village close to Lahore, about six miles out. I was on the Bench of the Punjab Chief Court for about 8 months as an Additional Judge.

The existing system under which a right of appeal to the Local Government is allowed in respect of the administrative action of its subordinate officers has worked satisfactorily, and I am not in favour of modifying that system so as to curtail the right of appeal. In the circumstances of this province it would probably be productive of undesirable consequences to preclude persons, who feel aggrieved by reason of executive action being taken against them by Government officials, from bringing the illegality or the grossly irregular or arbitrary nature of that action under the notice of the Local Government, and in the interests alike of the classes chiefly affected by the present system, and of the officers of Government concerned, it is necessary that the existing opportunities of appealing to the Head of the provincial administration should not be abridged. There is no ground for thinking that the right of appeal under consideration has been much abused in the Punjab or that it has been detrimental to administrative efficiency in the subordinate ranks of the Public Service; and I am therefore naturally reluctant, by curtailing that right, to throw in the way of the Executive Officers the temptation of passing hasty, ill-considered, or arbitrary orders, which generally lead to much heart-burning and sometimes even to active discontent.

In connection with the right of appeal to the Local Government, I do not think that it would be desirable to lay down in all cases that no such appeal should be entertained unless it is accompanied by a certificate from the officer passing the order appealed against that reasonable grounds of appeal exist. Such a rule can be justified only under very special circumstances, such as the desirability of avoiding unnecessary trouble and expense to the persons concerned, or of checking a manifestly mischievous propensity for indulging in prolonged litigation over rights of a comparatively trivial character. Where circumstances of this description do not exist, the reason of the rule disappears. Besides, a rule of this kind would, under certain conditions, be tantamount to placing in the hands of the authority concerned an instrument for stifling the voice of an aggrieved person which may sometimes be used to defeat the ends of justice.

The right of appeal to the Local Government at present granted to the officers of Government against orders affecting them personally is not, in my opinion, unnecessarily liberal, and I am not at all in favour of curtailing that right. An officer of Government, however humble his position may be, cannot be expected to do his duty conscientiously and under a full sense of that dignified self-respect and independence of judgment which are essential to the success of a Public Servant, unless he feels his position reasonably secure in the department in which he is serving: and this he can only feel if he is allowed to exercise the right of appealing to the Local Government in all cases in which his character and conduct as a Public Servant are impugned by the Head of his Department. The more reasonably liberal the right of appeal in such cases, the greater the sense of security and responsibility under which officers of Government will carry on their duties, and the better the chances of a smooth working of the administrative machinery.

European officers who hold executive appointments in the province, more especially the District Officers, do not at present enjoy sufficient opportunities for coming in personal contact with the people. The existing obstacles to such a contact are, in my opinion, briefly the following—

(a) These officers, being connected with several departments and having therefore to perform multitudinous duties, are much overworked and have little leisure to cultivate personal relations with the people. There is too much of report-writing, and too little of the personal element, in the district administration.

(b) The average District Officer unfortunately entertains peculiar notions of self-importance, based mainly upon an imbred sense

of racial superiority, which act as a great social barrier between him and the more advanced classes of the people. Absence of social intercourse naturally leads to grave misunderstandings on both sides, and these frequently result in some parts of the country in profound distrust on the one hand and in active discontent on the other. District Officers are also generally influenced by the idea that if they mix more freely with the people, their prestige will suffer. This idea is, however, erroneous and should be abandoned.

(c) There are comparatively few District Officers who possess sufficient knowledge of the vernaculars of the province, and still fewer who are fully conversant with the social and religious usages and customs of the people. The result is that the acquaintance which the average District Officer has with the people in his charge is superficial, and he is therefore incapable of properly entering into and appreciating, in all their shifting and variegated phases, the feelings and motives which animate and sway large sections of the population.

(d) Executive Officers are as a rule transferred from one district to another much more frequently than is compatible with their obtaining, through a necessarily slow process, a real insight into the local conditions of a particular area and of particular classes of the people. Their knowledge of Indian life is therefore generally imperfect and superficial, and in a variety of ways the administration of the district is thereby prejudicially affected.

To remove the above-mentioned obstacles, I would suggest the adoption of the following, among other measures:—

(a) Executive Officers should be relieved of part of the work they are now called upon to do. For instance, in the case of the Deputy Commissioners, they should be relieved of their judicial work as District Magistrates.

(b) Having more time at their disposal, the District Officers should be specially instructed to cultivate friendly relations with the more educated and advanced classes of the people, and to acquire deeper acquaintance with the social and religious institutions of the province.

(c) Greater stress should be laid than has hitherto been the case upon Executive Officers acquiring a good knowledge of the vernaculars. To this end, a better acquaintance with the Hindustani (or Urdu) language should be insisted upon as part of the course which an Indian Civil Servant has to go through in England for his final examination before coming out to the Punjab; and this should be supplemented by a rather searching test in the vernacular after a European Civilian has served in the Commission for a number of years.

(d) District Advisory Councils may be established in order that they may give responsible advice to District Officers in times of need, and otherwise act as trustworthy media between the rulers and the ruled. Without the hands of the District Officers being tied in any way by these Councils, they would act as an agency both for diffusing among the people correct information as to the arts and intentions of the Executive Officers, and for rightly interpreting to the latter the feelings and needs of various classes of the population.

The transfers of Executive Officers are too frequent. To remedy this defect, I would make the following suggestions:—

(a) Junior Civilians should not be posted to large stations, which should be reserved for senior officers, and the latter should not be transferred for a number of years, except under special circumstances.

- (b) When short leave is granted to an officer, arrangements should, as far as possible, be made for his work being carried on by a local officer until the officer on leave returns to duty.

The powers vested under the existing law (Act XX of 1883 and Act XX of 1891) in the District and Local Boards and in the Municipal Committees in this province in respect of the management of local affairs are ample for the present, having regard to the stage of material and moral progress which we have reached, and I do not think they should be enlarged. As matters stand, really good and capable men do not offer themselves for election for the membership of Municipal Committees or of District and Local Boards.

The creation of Advisory Councils to assist District Officers in time of need with responsible advice would be a useful step. I am not prepared at present to confer any definite powers on these Councils, which should be purely consultative bodies. They should be so constituted as to represent all the dominant interests in the district, e.g., aristocracy, agriculture, commerce, education, and the learned professions. The advice which they could be asked to give might well be in respect of local affairs relating to taxation, police, sanitation, and to the general administrative needs of the district.

The time has not come in this province for investing District Boards with powers of supervision and control over the smaller municipalities within their respective districts. The average member of a District Board in the Punjab lacks the training necessary for the proper conception and performance of his civic duties; and as a result the Board is not a very efficient part of the machinery of local self-government.

An experiment may well be made in the direction of giving village communities of an advanced type greater powers in the disposal of local affairs relating to revenue, police, sanitation and elementary education. The grant of such powers would lay the foundation for an excellent practical training of the Punjab peasantry in the elementary principles of self-government on modern lines, which they are well fitted to assimilate by reason of their familiarity with some of their traditional methods of managing their own local affairs, of which traces are still left in the crudest form of village economy. I am not, however, sure whether the grant of powers to village communities as to the disposal of petty civil and criminal cases would be productive of good results. I am disposed to think it would not. The panchayat system, if it ever worked well in this part of the country so far as the dispensation of justice is concerned, has long ceased to exist; and its revival, with some of the modern concomitants of civil and criminal administration superimposed upon it, would, in my opinion, bring in its train some very unsatisfactory results. The Punjab peasant's ideas of his legal rights and of justice have, under modern influences, undergone a great change; and I seriously doubt whether he, and his literate and more intelligent sons, would be satisfied, as his primitive ancestors used to be in olden times, with the rough and ready methods of dispensing justice which the establishment of a village panchayat of the old type would necessarily bring into operation. If, on the other hand, the panchayat is to be constituted upon new lines and is expected to be fairly up to date in its judicial proceedings, all the defects of any Honorary Munsif's or an Honorary Magistrate's court will find their way into them, with none of its redeeming features. The time has come when in the Punjab large villages with a population of, say, over five thousand inhabitants should be constituted into "notified areas" under Chapter XI of Act XX of 1891. So far the powers conferred on the Local Government in this behalf have been very sparingly exercised, with the result that the sanitation of the villages situated in close proximity to large towns is in a disgraceful condition, leading to a lamentable loss of life in the outbreak of plague or other epidemic. This aspect of the matter demands immediate attention.

39833. Have you made any special study of the organization of Government in the Punjab?—No very special study, except that I know in a general way something about its working.

39834. You have in the Punjab a Financial Commissioner as distinct from a Board of Revenue in many provinces. Would the public generally disapprove of transference of power from the Financial

Commissioner to the Divisional Commissioner?—I think not, in certain matters.

39835. Does the public draw much distinction between the personality of one and that of the other?—Not generally. In certain matters of detail if there were delegation of powers from the Financial Commissioner to the Commissioner the state of affairs might improve.

39836. In the case of appeals to the Financial Commissioner, have the parties a right to appear before him?—In revenue matters, yes.

39837. Is that the case also in appeals before the Commissioner?—Yes.

39838. In some provinces where there is a Board of Revenue, it was said that the Board of Revenue was very popular because the parties had the right of appearing, whereas they had not the right of appearing in cases before the Commissioner?—In cases before the Commissioner where there is the right of appeal the parties have a right of appearance, but not in cases where there is only revision.

39839. That would be also the case with the Financial Commissioner?—Yes.

39840. There is no special popularity attached to the Financial Commissioner as distinct from the Commissioner?—I think not; in fact, the Commissioner comes nearer home to the people than the Financial Commissioner does. The division within which he exercises his powers being more limited than the territorial jurisdiction of the Financial Commissioner, the people know him more familiarly than the Financial Commissioner.

39841. He can make himself better acquainted with the local conditions?—Exactly.

39842. What is your view of the qualifications of the patwaris and tahsildars and subordinates generally of Government?—I think the tahsildar ought to be acquainted as a general rule with the agricultural aspects of the people, perhaps, much more than he is at present. The same would hold good, perhaps, in a more emphatic form in the case of the patwari. The patwari certainly ought to be drawn more largely from the agricultural class than is at present the case.

39843. What class do they come from as a rule?—As a rule they come from the class which has received elementary education, which necessarily is not the agricultural class.

39844. What is known as the literate class?—Yes, the literary and commercial classes; the majority of them, I believe I am right in saying, are not properly acquainted with the agricultural conditions of the people.

39845. What is your view of their integrity as a class?—I should say the average patwari is a corrupt individual.

39846. What about the Government servants above him, the kanungoes and the tahsildars?—I think as we go higher corruption becomes less and less acute, and perhaps less and less manifest, but still there is corruption.

39847. Would it be a popular measure to give the tahsildar more power?—No, I do not think it would; the powers given to the tahsildar are already sufficiently extensive.

39848. You say that one of the advantages of the District Advisory Council would be that "it would diffuse among the people correct information as to the acts and intentions of the Executive Officers." Do you agree that one of the great wants of the present day is the means of conveying correct information?—I think that is a great want.

39849. Is there not a great deal of misapprehension among the people as to the acts and intentions of Government?—That is so, and I am afraid that that misapprehension leads sometimes to discontent which probably would not exist if the misapprehension either did not come into existence or were immediately removed.

39850. Have you ever heard of the plan of publishing a simplified Gazette in the vernacular, for circulation in the villages, containing the more interesting orders of Government, appointments and such like, and also containing interesting Resolutions and orders, paraphrased in the vernacular in a simple manner so

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as to be easily understood by the people?—I do not know whether that idea has ever been formally launched here in the Punjab; I have never heard of it before.

39851. Do you think it would be useful?—Certainly, I think it would be worth trying.

39852. Would you circulate such a village "Gazette" on payment, or would you send it round free anywhere?—If it were to be circulated on payment the circulation probably would not be large enough. The people in the villages would be unwilling to buy it, and therefore the information sought to be dispersed through it would perhaps not reach the masses. I would suggest that the paper be circulated gratuitously through the headmen and the *zaildars*.

39853. It would not do to make it too cheap; if you sent it about broadcast its value would probably fall to zero?—That might be so, but on the other hand, if the circulation of it depends solely on payment by individuals, then its circulation would be restricted. Some sort of plan intermediate between the two might perhaps be adopted.

39854. As to your Advisory Council, how would you propose that it should be constituted, by election, or by nomination, or how?—Under the existing circumstances of the Punjab, I would advocate nomination and not election. We ought to start by having a nominated Advisory Council, drawn from among the leading men of the district; after the experiment has been in operation for a sufficiently long time, and when we see that the idea has succeeded and has caught on, then the element of election might be introduced, but very cautiously, under suitable restrictions.

39855. Would the idea "catch on" if their advice was not accepted?—It would not.

39856. Would not members get tired of offering advice if it was not accepted?—They would, certainly; but I should be very much disappointed in case an Advisory Council was constituted from among the leading men of the district, if the District Magistrate did not follow the advice of the Council whenever it was found that their advice was disinterested.

39857. But even now, and also then, would not the District Magistrate have methods of his own of forming an opinion, by consulting people whom he knew to be representative people?—Yes. He might form his own opinion in that way.

39858. Suppose those opinions, gathered in that informal way, differed from the opinions offered by the Council; would you have the Magistrate surrender his own opinion for the opinion of the Council?—Not under all circumstances. The District Officer should be able to discriminate between circumstances in which he ought to follow the advice of the Advisory Council, in preference to the vague and indefinite opinion of the men he consulted privately, and circumstances in which he ought, on the other hand, to follow the advice of the latter.

39859. You think that the opinion of the Council would usually be more valuable than the opinion of the men he consulted privately?—I certainly think so.

39860. With regard to the proposal to give villages powers, would not the Punjab village, being usually a joint community, be specially fitted to receive powers of that sort and to exercise them?—Yes, to a certain extent, barring the exercise of civil and criminal jurisdiction.

39861. You do not approve of that?—Not at all.

39862. Is not the Punjab village rather more united than villages in other parts of India?—Yes, the typical village is, but even here the disintegrating influences of modern education are operating and village communities are not such compact communities as they used to be years ago.

39863. Are there factions?—Very bad factions in some cases. And, apart from faction, modern education is penetrating the villages, and with the spread of modern education, there is much more individual opinion circulating in the villages than there used to be in olden times.

39864. You do not suggest any new departure, but you say you think the time has come for the constituting as "notified areas," under Chapter XI of Act XX of 1891, of any large village of over 5,000 inhabitants?—Yes; I think if that suggestion were

adopted there would be no need for the creation of any special bodies. The Local Government under that law has the power to constitute any village a notified area the population of which is less than 10,000 souls, and which is not a purely agricultural village.

39865. You would confine action to the exercise of power under that section?—Yes, but I would suggest that the Local Government should delegate its power to the Commissioners, and that the Commissioners should exercise powers under that chapter much more freely than the Local Government does now. For instance, in the whole of the Lahore district there is only one village which has been constituted a notified area.

39866. You would not propose to go further than that? A notified area would scarcely provide for much of the power which it is proposed to give to the village community, such as the control of the village school, for example?—As regards the village school it would, because the same powers could be conferred on the committee which is appointed in a notified area as are now exercised by the Municipal Committees.

39867. But Municipal Committees do not, as a rule, exercise much power over the schools?—They can, if power is conferred on them.

39868. Do you think the villagers would like more control over their elementary schools?—I think so.

39869. (Mr. Meyer.) Do not these notified areas levy taxation?—Not always; if they are specially empowered to do so, they do, not otherwise.

39870. Have they an octroi?—Very often they have.

39871. Local taxation is not very popular here—or anywhere in India, for that matter?—It is not, but so far as the octroi is concerned, there is in every village what is called a weightment due, and the villagers are quite familiar with that sort of taxation; if octroi were imposed, therefore, it would not be unpopular.

39872. Is the weightment due levied now?—Yes, in almost all villages. It is appropriated very often by the headman himself, or (very seldom) it goes to the support of some of the local charities.

39873. It is really a fund which the villagers keep up, or are supposed to keep up, for their own benefit, though it sometimes happens that the headman intercepts it?—That happens very often.

39874. You mention that factions are a good deal prevalent; is it possible that the distribution of this fund has anything to do with them?—That is sometimes one reason why the factions exist; at other times the reason is that the headman is a person who wants to appropriate too much power, and it is his interest to set up factions in the village, and he interferes not only in the private affairs of the people, but mostly in village litigation.

39875. Have you often got several *lambardars* in a village?—Sometimes more than one.

39876. Do they fight among themselves?—They fight among themselves very bitterly.

39877. The general trend of the evidence we had elsewhere was that if you started any system of village Government combined with additional taxation, it would be unpopular, and that it would be necessary, if it was to be a popular success, to provide them with funds; would that be your opinion?—My opinion is that the funds which would be the result of the levying of local taxation would not be sufficient for village purposes, and that therefore additional funds will have to be placed at the disposal of the committee in the notified area, or of the panchayat, as the case may be; but village funds also can be supplemented by local taxation in the form of octroi. A house-tax certainly would be very unpopular, or any other form of direct taxation; but octroi is considered as a form of indirect taxation, to which from time immemorial the people have been accustomed in the shape of weightment dues.

39878. It has also been suggested that each village might receive a share of the Land Cess collected there?—I think that is a very good idea; I would certainly approve of it.

39879. If your village panchayat could deal with revenue and police and sanitation locally, and also with

elementary education, why should they not be competent to dispose of petty civil and criminal cases?—Because of the reason that I have suggested. People, even villagers, have now become educated and accustomed to the regular and more normal administration of justice, and therefore they would look upon the disposal either of civil suits or criminal cases by the local panchayat in not quite a happy spirit. Besides, since there are local factions in villages, they would probably interfere with the smooth working of the machine.

39880. Still at present it sometimes happens that at a point of honour, perhaps a false point of honour, men will go on fighting in the courts till one or both are ruined?—I am afraid that is so.

39881. It might be a good thing if you could offer a simpler form of settling such disputes?—Quite so: I am certainly in favour of the principle, but I am doubtful whether in the present circumstances of the province it would be safe to place in the hands of panchayats the exercise of jurisdiction in civil and criminal matters.

39882. In Madras, for instance, they have village Munsifs, and the system has been adopted by the Government of the United Provinces?—In Madras and in the Bombay Presidency too, I think, but in the Punjab, so far as I am aware, the system has never worked satisfactorily: I do not think it has ever been introduced.

39883. Revenue appeals begin with the Assistant Collector, then there is an appeal to the Deputy Commissioner; then, as I understand, if he agrees with the Assistant Collector, the matter is ended?—That is so; there is no appeal.

39884. But there is a revisional application?—A revision application to the Financial Commissioner.

39885. Not to the Commissioner?—No; it is to the Financial Commissioner.

39886. On the other hand, if the Deputy Commissioner does not agree with the Assistant Collector, there is an appeal to the Commissioner?—Yes.

39887. And that decision is final?—Yes.

39888. These cases, then, only come up to the Financial Commissioner by way of revision?—That is so. There are only two appeals in revenue matters, never more than two.

39889. Are most of these cases dealt with originally by the Assistant Collector or by the Collector?—There are certain classes of cases which under the law applicable to the Punjab can be disposed of only by the Collector; there are others which can be disposed of by the Assistant Collector. Those cases therefore which have to be disposed of in the first instance by the Collector have to be taken up by the Collector, and then they go from him to the Commissioner, and so on.

39890. Would you be in favour of allowing such cases to be taken up by the Assistant Collector in the first instance, as a relief to the Collector?—Yes, I would.

39891. With regard to revision, you can exercise that power in two ways; you need only interfere when you think there has been a miscarriage of justice, or you can interfere whenever you differ in opinion from the Court below. In which way is the right of revision exercised here in revenue cases?—In revenue cases very great stringency is exercised by the higher authorities in the matter of revision, that is to say, they are very reluctant to interfere, and rightly too, because the revenue law lays down that unless there is an excess of jurisdiction or a want of jurisdiction, or unless jurisdiction has been exercised with material irregularity, the revisional authority should not interfere.

39892. You know that the ordinary system of the civil procedure is that there should be no second appeal on questions of fact?—That is not so in the Punjab. In the Punjab we have a special law of appeal, and there is a second appeal even on facts under certain circumstances.

39893. Suppose your civil procedure, at some time or other, should come to be identical with that in other parts of India, would you think it necessary to have a wider latitude of appeal in revenue matters than in ordinary civil matters?—No, I think not.

39894. Does the District Magistrate take criminal appeals from Second and Third Class Magistrates, or can they be taken by the Sub-Divisional Officer?—They go generally to the District Magistrate; and the Assistant Commissioner, who is a Magistrate of the First Class, generally has not got such power.

39895. In some districts, we are told, there are sub-divisions in which an officer lives in the sub-division and exercises local authority there. Would he have appellate power within the sub-division?—I do not think he has.

39896. (*Sir Steyning Ederley.*) Is there any reason why he should not have it?—It depends upon the amount of power which is conferred upon him as a member of a certain class of Magistrates; there ought to be a uniform rule; it would not do to confer appellate power on an officer because he is the Head of a sub-division, but it would be advantageous if it were laid down that only those officers should be Heads of sub-divisions who could exercise the powers of a District Magistrate. It would be an advantage to the people if they were to exercise that power.

39897. Other provinces are very much less centralized in that respect?—I do not know anything about the other provinces; I suppose they are.

39898. You say "Really good and capable men do not offer themselves for election for the membership of Municipal Committees or of District and Local Boards"; then again you say: "The average member of a District Board in the Punjab lacks the training necessary for the proper conception and performance of his civic duties." What is the reason of that?—The reason is this: when elections come on, unfortunately electioneering tricks of the most objectionable character and fraudulent devices are resorted to by candidates for election. Indian gentlemen of education and culture would not agree to stand for election under those circumstances. So far as the Lahore municipality is concerned, I happen to know four instances at least in which gentlemen, who, if they had been elected as members, would have been acquisitions to the Municipal Committee, withdrew after having stood as candidates because they could not cope with candidates who were addicted to such objectionable practices.

39899. But is there no provision in the law for what we might call an election petition?—Yes, there is.

39900. You mean the people will not go to the trouble of bringing a petition?—Some of the voters and candidates unfortunately resort to such ingenious tricks that it becomes very difficult for the officer who has to dispense the law to come to know these frauds.

39901. But if you had an election petition, the facts could be stated and regularly tried out?—Here the practice is that a certain officer is deputed at the polling station to receive petitions in which allegations are made as to fraud being practised by the voters; orders are passed then and there on the petition.

39902. They cannot go into Court?—No.

39903. If they could, would that meet the point, or would people not like the publicity?—They do not like the publicity, and besides there would be the delay. It is better that summary powers should be exercised by an officer on the spot to decide matters of that kind.

39904. Your position practically amounts to this, that in the Punjab, up to the present, the system of election has failed to produce the best candidates?—That it has done, but the system has been productive of good results in so far as it has induced a certain class of people to come forward, who perhaps would not have been nominated by District Officers.

39905. But how do the townspeople regard that, if they know that the best people will not go on the Municipal Board in that way, and that they get a less desirable class of members; does that lead to considerable dissatisfaction with municipal government?—Yes, it does, among the better class of people.

39906. To counteract that, you think you must keep a substantial margin of nomination?—Yes.

39907. When they are nominated, will the people you describe as the better class work with these other gentlemen, who have been elected by practices which they disapprove?—Yes; they work with them.

39908. That is not a bar?—No; unfortunately the sense of civic responsibility has not been developed to such an extent, and the sense of public morality has

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not come up to such a high standard, that the people regard practices of this description with grave disapprobation.

39909. But if the law is under revision, that is a point which ought to be considered—I mean the purity of elections?—Yes, certainly.

39910. Have you a sort of Small Causes Court in Lahore?—Yes.

39911. And in other cities?—At Amritsar and Delhi.

39912. (Mr. Dutt.) If you had an Advisory Council what number would you recommend?—I should not recommend a large number in any case; it ought to be below ten.

39913. What is this weighment due that you spoke of; is it a tax on all products imported into the village from outside?—Yes.

39914. It is really an octroi duty?—Yes, on most such products.

39915. Not on the produce of the fields cultivated by the villagers themselves?—No; it is only articles which come for sale inside the village area that are taxed in that way.

39916. Are such articles very few?—They are not very few; formerly they were, but now there are a large number of such articles brought into the villages, that is mostly market villages.

39917. Leaving aside market villages, the number of articles which come to the other villages must be very small?—Yes, comparatively small.

39918. And the weighment due itself must be very little, probably two or three rupees in the month, if so much?—I should say more than two or three rupees a month.

39919. In an ordinary village?—Yes; for instance, I know small villages in which the proprietary body leases the right of levying weighment dues to the baniya for a substantial sum; whenever anything is sold to outsiders he levies weighment dues, or whenever grain comes from outside into the village he levies weighment thereupon.

39920. Anyhow, you think that, whatever the money is, it would be too small for meeting the requirements of the village, and that it will have to be supplemented from other sources?—Yes.

39921. At present the weighment due goes to the village headman?—Yes, and he misappropriates it generally.

39922. Is it not a duty which devolves upon him to feed all strangers from this fund, and to show hospitality to *sadhus* and others who come into the village?—That is so in some of the small villages, but in the large villages, although that duty was imposed on the headman by custom or public opinion in the old days, the obligation is disregarded now.

39923. In so far as he complies with the obligation he has to do it from his own pocket?—No; there is what we call the *malba* fund.

39924. Is that also regularly levied in every village?—Yes.

39925. Is that kept for this very purpose, namely, for the object of entertaining guests?—Yes. It is levied along with the land revenue.

39926. The *lambardar* does not realize it?—Yes.

39927. Under Government orders?—I think so; I have not specially studied the question.

39928. Do you mean that Government has sanctioned the levying of this due to be handed over to the headman of the village for the entertainment of guests?—I am not quite sure, but that is my impression; the *malba* fund is a very well known fund.

39929. With regard to the Advisory Council which you have recommended, do you propose that meetings of the Council shall be held periodically, or when the Collector has occasion to ask for the advice of these men?—There ought to be periodical meetings, certainly. I should say once in three months.

39930. Should the District Officer send to the members a list of these subjects on which he desires to have their opinion?—Yes.

39931. Suppose the people themselves or the members of this Advisory Council wanted to bring certain matters to the notice of the Collector about which the people felt very keenly, would you allow them to

bring forward such subjects at the meeting, after giving previous notice, so as to have them discussed and settled?—Certainly.

39932. How many members are there of the Lahore municipality?—Thirty. Twenty are elected, and ten are nominated.

39933. Do you think all those twenty elected members are undesirable members?—Not all of them, but I think the majority are. I should certainly say that out of the twenty elected members, more than ten men should not have come on the Board at all; in fact I should say as many as fifteen.

39934. Does the same state of things apply in all the other large municipalities?—I have heard complaints about the incompetence of the elected members of the other Municipal Committees also, but I have no personal knowledge of them.

39935. There are 137 municipalities in the whole of the Punjab. In most of these municipalities are the members who are elected, or the majority of them, undesirable men?—I have no personal knowledge of them; I am speaking only of the Lahore municipality at the present time, but I have heard that in other municipalities also the same undesirable element prevails.

39936. Can you suggest any remedy for this state of things to secure the election of better and more qualified and more disinterested men?—I think it depends largely on the enlightenment of the people and the prevalence of better standards of civic duty, which will follow in course of time as education develops.

39937. When these Municipal Commissioners are elected, have they any responsible work to do on the Municipal Board, or do they simply say yes or no to the propositions brought forward by the Chairman?—Not always; there are some members who do exercise some sort of independence.

39938. I was not talking of independence, but of responsible work—education, supervision of roads, or the repair and construction of bridges, and so forth; is any work entrusted to these members, are they formed into sub-committees and special work entrusted to them?—There are sub-committees. There is for instance what is called the Sanitary Sub-Committee, then there is what is called the Civil Station Sub-Committee, and there is the Finance Sub-Committee.

39939. Are they entrusted with the supervision or inspection of the schools within the municipality?—Not of the schools.

39940. Are they entrusted with the work of supervising the repair and construction of roads within the municipality?—No, not the roads.

39941. If these duties were entrusted to the members of the municipality, would they be likely to take a little more interest in the work before them?—At present there is some sort of supervisory control exercised by some of the members in the way of sanitary measures, and they are doing useful work, but if they were to be vested with the control of roads and schools, and so on, I doubt very much whether, at present, they would be able to do much useful work. Besides, many of them would not have the time to give to these things.

39942. Not even in the vicinity where they live themselves?—The supervision of roads, for instance, would require expert knowledge.

39943. Not as to the repairs of ordinary roads?—No; if a man wants something repaired, he would bring it to notice; I do not see that a particular member should have the power of supervising the roads, he may make suggestions; in fact he does so now, and they are sometimes carried out.

39944. These things are as a matter of fact entrusted to members in other parts of India; could that be done here?—I have no personal knowledge in this matter, but such supervisory control is not vested in members here; that is not the practice.

39945. And you do not think the time has yet come when they can undertake such small duties?—I think not—not in Lahore.

39946. (Mr. Hichens.) In regard to municipal matters is there a strong public feeling in Lahore?—I am afraid the question is too wide.



39947. Suppose a question arose of having, say, a large water-supply scheme or a drainage scheme here, or something of that sort: would the general public take any interest in it at all?—The educated public do; the illiterate masses do not

39948. The majority of the electors?—I do not think that the majority of the electors would take much interest.

39949. But a substantial number of electors would take an interest in a thing of that sort, surely?—In a general way, yes; they have no conception whatever of the matters in which the municipality sometimes goes wrong.

39950. Suppose matters went badly wrong, then public opinion might be stirred?—Yes, in regard to some matters. Since the vernacular press in Lahore is becoming stronger every day, people are taking more and more interest than they used to take, but even now, interest in these matters is very slack.

39951. You do not think they would rise in their wrath and turn out the people who had made a mess of it, and put in another lot at the next election?—I am afraid they would not.

39952. You mentioned that corrupt methods were to some extent practised in regard to elections; you are perhaps aware that that is not singular to any one country in the world, and the remedy in other countries lies in the hands of the people themselves. I gather from you that the people here are as capable of using that power as people anywhere else, because you said that there was a strong public feeling?—I do not say there is a strong public feeling. If it were strong, then action would be taken, but it is not; these things are connived at in most cases.

39953. But the public do take an interest in municipal matters; public opinion is capable of being aroused?—Yes, educated public opinion.

39954. Would that not be a solution of the trouble?—It would.

39955. That being so, would it be desirable to give them larger responsibilities than they have to-day, in the way of a non-official Chairman, for example?—I certainly should not suggest the appointment of a non-official Chairman in Lahore, because I do not think the Municipal Committee here is enlightened enough to exercise such a power.

39956. Suppose the better educated class of people in the town feel that it does not very much matter after all, because they know that the Government will step in and prevent a real mess being made of things, is it likely that public opinion will ever be aroused or a sense of responsibility ever be developed?—I think as time goes on public opinion will become more educated on these points, and people will come to take more interest than they do now.

39957. But are the better people in the town likely to face a great deal of discomfort, and possibly of obloquy, in standing for election, when they know that

they can go off to the Government and get anything put right?—I think the time will come when they will stand that.

39958. You think it might precipitate matters to try it now?—It might.

39959. Would you have the members of the Advisory Council nominated or elected?—I would not have them elected for the present. I should not like to lay down any hard and fast rule, but in the present circumstances of the province it would be better to start with nominated members.

39960. Who would nominate them?—The Deputy Commissioner ought to make a recommendation, and the Commissioner ought to appoint.

39961. Is there anything to prevent the Deputy Commissioner consulting those men to-day?—Nothing.

39962. Does he in practice consult them?—Not the better class of people whom he ought to consult.

39963. We have often been told that the ideal of a Deputy Commissioner is a man who would be in touch more or less with the people of his district, that is to say, a man who would consult not simply ten people only, but a very large number of people; is that your ideal too?—It is a very good ideal no doubt, but the area is so large that the sense of responsibility which should be evoked in the officer by consulting all these people is diffused.

39964. In regard to all the big questions at any rate is it not perfectly possible for him to talk over matters with more than 10 or 12 people?—No doubt.

39965. On those matters it would be open to him, and possibly for him, to consult a large number of people and get the pick of their brains?—Yes, but matters like those could be talked over in a formal way with the Advisory Council and then possibly the other people might be consulted too; that would be much better.

39966. Would you allow the meetings of the Advisory Council to be public?—No; I would not at the present time, because I should like to see how the experiment worked. If the public were admitted to the meetings there might be some matters over which there might be a difference of opinion between the Advisory Council and the District Magistrate, and I can conceive of cases in which the prestige of the District Magistrate would suffer if the public were allowed to attend these meetings.

39967. Might the Collector act in opposition to his Advisory Council without referring the matter to the Commissioner?—I think he might.

39968. But you would rely on his good sense not to oppose the general feeling of the Advisory Council unless there was some good cause?—Yes.

39969. Could that be done without creating friction?—I think so. The Advisory Council at present should be simply a consultative body.

(The witness withdrew.)

Adjourned.

## SIXTY-EIGHTH DAY.

LAHORE, Tuesday, the 14th April, 1908.

PRESENT:

SIR FREDERIC LELY, K.C.I.E., C.S.I., *Presiding.*

SIR STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.  
R. C. DUTT, Esq., C.I.E.

W. S. MEYER, Esq., C.I.E., I.C.S.  
W. L. HICHENS, Esq.

Lieutenant the Hon. MALIK UMAR HAYAT KHAN, C.I.E., was called and examined.

39970. (Sir Frederic Lely.) You possess large estates in different districts, including a large area in the canal colonies?—Yes. I am a member of the District Board, of which I was Vice-Chairman, but I had to resign because I was ordered on service. I am also an Honorary Magistrate of the First Class, and a member of the Punjab Legislative Council.

I am more an advocate of centralization than of decentralization, which brings a uniformity throughout the administration of India.

There is no great necessity to increase the financial powers of the provincial Governments, as at the time of emergencies a wire could be sent, and the case could be disposed of and rushed through by the Supreme Government, treated as a special case. If any increased powers are given, it should be only a fixed sum, sufficient for the time till sanction from the Government could be got. The sum should be treated as a sort of reserved emergency fund.

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There is no necessity of any very great separation between the imperial and provincial finances, as the work is being carried on smoothly and well as it stands.

Borrowing powers should not be given to the provincial Government because there will be chances of their taking money on higher interest, and, if an emergency occurs, a new sanction ought to be got from the Supreme Government, and the money used from a fixed and permanently sanctioned emergency fund. After obtaining sanction the provincial Government could easily borrow money by public loans, which should not be bound to any particular province, and should be got from place or places where it could be obtained cheapest.

Powers ought to be given to the provincial Government to create new appointments, but the terms should be limited to one or two years. For a permanent appointment or enhancement of salary they should get sanction from the Supreme Government.

The provincial Government should be allowed to appoint, in Council, certain committees, and thoroughly study the requirements of their particular province, and see which portion of a certain general Act, or law, or any general policy, does not suit their province, after which they should be allowed to pass those alterations and change the law, pending the sanction of the Supreme Government.

I do not think the influence of the departments of the Government of India is in the direction of excessive rigidity and uniformity, at any rate not so much as to require any very great reform.

I do not think that the tendency of the imperial Secretariat is purely from the departmental standpoint, nor is the Government too impersonal, but they are dominated by considerations of revenue, and I think they should be as everything is before their eyes, revenue being the first thing to consider and everything else after.

The work of Directors-General should be to lay down a general policy on broader lines, and then give all the authority to their provincial subordinates, to carry it on in the best and most effective manner they can, according to the requirements and conditions of their respective provinces.

In the Viceroyalty of Lord Curzon reforms were mostly due to the Government of India and afterwards mostly to provincial Governments. I think to give any independent initiative powers to provincial Governments without the consultation of the Supreme Government would be destructive, as certain energetic provincial Governments may get in reforms more rapidly than the province or people generally are moving; that would be just like putting the "cart before the horse," as Orientals do not want to be driven faster than they can really move.

I would not suggest any curtailment of the rights of appeal in any way as the people of India from time immemorial have been accustomed to have the last appeal to the supreme authority they can possibly get, nor is the Court of Appeal which has already decided against one, the right court to give a certificate to appeal further. No one except the Gazetted Officers should be allowed to appeal any further than the provincial Governments, because subordinates are generally so corrupt that they do not require any such chances.

The demand for reports and returns has increased, but, however it has increased, whether due to the Secretary of State, or otherwise, yet it is most necessary, and should not be checked in any way, and there should be an increased efficient staff.

The Executive Officers have sufficient opportunities to come in personal contact with the people, but they do not choose to do so, and spend their time on other less important works. The idea that they have been given increased work in the last few years is wrong to a great extent, but it would be just as well to give them a competent Extra Assistant Commissioner who knows English and could be trusted to dispose of the greater part of the Deputy Commissioner's work.

Executive Officers of the standing of Deputy Commissioners and above possess a sufficient knowledge of the vernacular for ordinary administrative work, but at times not sufficient for recording the evidence of an uneducated witness. It would be better if the case work was entirely in the hands of a competent native Judge, who should be entrusted very frequently with section 30 powers. The Deputy Commissioner should

be advised not to interfere unnecessarily so as to give him more time to attend to more important and urgent work.

No increase of officers or decrease of the area of charges would be required if decided as above.

If higher powers are granted, no doubt they would have to be given into competent hands which would have to be carefully selected. I think there are 10 to 15 per cent. of officers who are entirely unfit for the posts they hold. The officers for the district where there are new colonies should be still more strictly chosen than has hitherto been done. In my opinion a senior and experienced officer is more courteous and good and better liked by the people than a clever energetic young officer.

There should be certain divisions made in each province, not from the administrative way as a Commissioner's division, but according to language, people, and their customs and habits, and certain officers, who get acquainted with such a division, should be sent to them more frequently, and the interchanges should be between them only as far as possible.

I am very much in favour of having Advisory Councils for districts and divisions. For divisions a member of each district should suffice, but for districts there should be a member either from each *ilaka*, i.e., a portion of the country, either taken as a unit for the habits of the people or on the consideration of any particular "clan." Thus they could be very useful to officers. Each *tahsil* should have at least two or three members selected by the Deputy Commissioner. These Councils should secretly report the men of bad livelihood, and enmity between different parties, also the doings of the corrupt petty officials.

It would be much better if the District Boards are entrusted with the supervision of the municipalities within their districts.

Village committees should not yet be entrusted with any more than petty civil cases up to Rs. 50. They could be gradually promoted according to their ability and capacity of working.

The Board of Revenue or the Financial Commissioner should have full powers of remitting revenue in areas where it is necessary owing to bad years and particular calamities. The Commissioners, if kept, should have full powers of suspension of revenue within their respective divisions while the Deputy Commissioners and *taluka* officers should only be able to do such things with the sanction of the Commissioners and Financial Commissioners.

Commissioners should control all departments within their circles as provincial Governments in reduced numbers at headquarters.

The Court of Wards should be entirely in the hands of the Financial Commissioner, and nothing in the hands of anyone else except the fixed monthly expenditure, with a little margin to deal with certain requirements proportionate to the income of the estate, as Deputy Commissioners are liable to make experiments with the estate which might prove injurious to the interest of the Court of Wards.

Any sums which might be spent by Deputy Commissioners or Commissioners should be checked only by the Comptroller-General and not by those who spent it.

The powers now vested in the Local Government should remain unchanged as at present.

The Commissioner has no influence, at least not sufficient influence, in other departments except in that of land revenue, and, if kept, the appointment should be made useful and influential by bringing all the other departments in their divisions under the Commissioners, in order to give them uniformity. Matters might then pass on to the Heads of Departments, e.g., Salt, Excise, Public Works, Canals, and Public Instruction, &c., who should all be under them. Thus all the different cases of the different departments would be settled or toned before they reach the provincial Governments, and thus a great deal of trouble would be saved.

District municipalities, District Boards and Local Boards should have full powers of controlling their revenues and making their budgets as good as they like within their own districts without much interference, but when members are appointed there should be more than half nominated, in order that the officers may be able to get members from minorities to safeguard their cause and prevent their interests from being overtrodden. Besides the functions that these bodies now

possess, they should be allowed to pass certain new reforms which, with the sanction of the Commissioner, should have the force of law and a selected committee should have powers enough to see that it is carried out. They could also be grouped in threes and fives, and given powers to try petty civil or criminal cases.

39971. I see that generally you prefer to give power to the Supreme Government as against the provincial Government?—Yes, to a great extent.

39972. You would prefer to subject most of the actions of the provincial Government to the sanction of the Government of India?—Yes, so that all the different provinces should keep exactly alike. One province should not go ahead of another; there should be a sort of balance.

39973. Is there a danger of the provincial Governments being too hasty in pursuing the path of reform?—Yes; there must be some control.

39974. Is that your only reason for preferring to give power to the Central Government rather than to the provincial Government?—There are other reasons too. The Government of India knows all the different reforms that are going on in all the provinces, and they are in a better position to see how such and such a province may safely develop.

39975. Does not the provincial Government generally know more about local conditions than the Central Government?—I think they do know, but it is just as well when they know a thing to write up to the Government of India and ask for their opinion too. Since I have come on to the Council I have seen certain things done in that way; sanction was got to certain things, but they did not suit the country, and they did not get on well.

39976. Is that a view very generally held among the people of India?—Recently, since these last two Bills have been passed, I think the people have got this idea generally.

39977. Take such a matter as municipal octroi duties, would you have the Government of India interfere and scrutinize the octroi lists of municipalities?—General principles should be laid down by them, just to keep uniformity.

39978. Would you go so far as to say that the octroi lists should be sent up?—Not lists, but the general principles should be fixed by the Government of India.

39979. And the Local Government should be left to apply them?—To apply them just as they like.

39980. You speak of separation between the imperial and provincial finances, which you do not think at all desirable?—The difficulty could be met very easily by the suggestion of having these divided into heads, and provincial heads and imperial heads united. All these departments are different; it would be much better if they were all under the provincial Government. Suppose there is a certain sum of money which is going every year to the Government of India, and there is another which is left for the provincial Government, that is, some proportion of the whole income which the Government of India gets. In future the system should be that every year the Government of India should give a certain percentage for imperial works and keep the rest. In that way the Lieutenant-Governor would have a sort of control on the whole of his province; he would have to give the same amount that now goes, but it would go by a percentage of the whole revenue.

39981. You mean that the whole revenue should be divided without reference to heads?—It might be, so far as the province was concerned, divided in heads, but when the money of the Government of India is being sent it should be sent as a sort of proportion, which could be easily calculated.

39982. A proportion of each head, or of the whole revenue?—A proportion of the whole revenue. The Government of India will be getting the same amount of money that they are getting now, and the Punjab Government will get the same; there will be no difference in the amount; and things will be simplified very much.

39983. You think the Gazetted Officers should be allowed to appeal to the Government of India in every case?—Yes.

39984. But you would not allow that to subordinate?—Not ordinary subordinates, because generally such people, that is, men on lower pay, are apt to be corrupt, and they should not be allowed to appeal to the highest authority.

39985. They are generally guilty?—They may not be guilty, but on the whole they are content not to appeal.

39986. You do not think it is worth while to give them a further right of appeal beyond the provincial Government?—No; I have particularly noticed in the Punjab in the last few years that very few people have been properly punished; that accounts at once for corruption going on and for the number of appeals being less. If there are no punishments, there are no appeals.

39987. Why have they not been properly punished?—It is very difficult to get evidence against them.

39988. Do you mean that they have got off on appeal?—The really guilty people are not punished. If they are caught and punished of course they come up on appeal, but they are not caught. There is no one to appeal, and that is the reason that so few appeals come up.

39989. Generally, you do not think that the lower subordinates ought to ask for any more than an appeal to the provincial Government?—That is all; or, if the case is departmental, to the Head of their own particular Department.

39990. You say that 10 to 15 per cent. of the officers are entirely unfit for the post they hold; do you mean, intellectually?—Some of them are intellectually not fit.

39991. And on any other ground unfit?—I think that is mostly the cause. With the ordinary work and duties they have to perform, unless they are really clever and have got experience, they cannot exercise their powers very well.

39992. You say, "These (Advisory) Councils should secretly report the men of bad livelihood, and enmity between different parties, also the doings of the corrupt petty officials." Do you recommend that the Collector should have a certain number of men at his elbow to give him secret reports upon which he should act?—If the Collector is clever enough to appoint real good, honest men who would not tell him lies—and I think these are now procurable if one tries to pick them up—it would be useful. At the present time these constables, on six or seven rupees, make their reports and they go on reporting; when these reports go to the Collector, naturally, as he has no other source of information, he has simply to rely on the police. He ought to have some other and more reliable source. Suppose a case comes up, he ought to be able to say to some reliable man, "Go and see exactly what the facts are." If that man's report generally confirms the police report, the Collector will usually find there is something in it, but the man may report, "This case is not supportable at all, it has come here out of over-zeal on the part of a constable, or as the outcome of some personal grievance or enmity." The Collector might not altogether believe either source of information, but at any rate it would be to his advantage to have two sources to choose between.

39993. If this Councillor was also a bad man like the police, would there not be a strong temptation for him to give his enemy a stab in the dark?—I have suggested this too; that when these men are picked they should be picked from all over the district. If a crime happened in one part of a district the Deputy Commissioner could easily get the assistance of some reliable man of good position from another part; a man cannot very well have enemies all over the district; and in that way there would be a very good chance of getting at the real facts.

39994. Could not the Collector get the opinion of this gentleman of good position just as well without placing him on the Council?—He could. I am not proposing that these men should be appointed so that every one knows that such and such are the confidential people.

39995. You suggest that even the appointments should be kept secret?—Yes, the Deputy Commissioner should know that such and such are the real good men to appoint, and he should see them at his own house.

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39996. Is not that practically what a good Collector does even now?—Good Collectors do it, but if this were forced upon all those who do not now do, it would begin to do it. Now only the good Collectors do it, and it is not the general practice; it really should be the general practice and rule.

39997. (*Mr. Dutt.*) How long have you been a member of a District Board?—The last seven or eight years in the Shahpur district. I was Vice-Chairman for two years.

39998. What were the duties you had to do as Vice-Chairman of the District Board?—Practically all the things that the Deputy Commissioner does now.

39999. Did you place important matters before the Deputy Commissioner?—I took his advice on very important matters, but as he knew my work, and so on, he generally gave me a free hand. When he went on leave I used to call the meetings just as the Deputy Commissioner does, and presided at them.

40000. What is the income of your District Board, approximately?—It is now entirely changed, because the Jhelum Colony has come in, and the income has very rapidly increased, and will increase, in consequence. When I was Vice-Chairman I think it was about two or three lakhs.

40001. Is it four lakhs now?—Very much more; it had increased two lakhs quite a long time ago.

40002. When you were Vice-Chairman, how much of the income of the Board was given to education, approximately?—I do not remember, but generally the Deputy Commissioner used to work the budget; I used to go through it with the Secretary. Even this year the money for education has been cut and put on buildings, because buildings are rather in a bad state.

40003. Anyhow was the money which was allotted for education spent by you, or was it made over to the Education Department?—It was mostly spent by us. It was really given in a way to the Education Department, because it was their schools and their masters; for any masters that they appointed, the salaries used to be given by the District Board.

40004. They appointed the masters?—They did everything; it was all their own work; we simply had to pay them.

40005. You had no sort of control over the education of your district?—We had in a way. They always used to send in reports; the inspector of schools in the district used to send up all his reports to our meetings, and if we found that anything was not right we used to interfere, and it was looked into. That was in fact necessary, because in certain places he would not know the finances of the District Board, and he would suggest certain things that it was impossible for us to provide.

40006. You called for further report or information?—Mostly we had just as much information as he had, being the local men of the place.

40007. Apart from that, the whole thing was managed by the Education Department?—Yes.

40008. How were the roads constructed; were they constructed by the Public Works Department?—There are two different sorts of roads; there are certain metalled roads, which the funds of the District Board are not sufficient to meet; those roads were originally made by the Public Works, but they used to get a sum from the District Board for the maintenance and repair of the roads afterwards.

40009. Besides that had you unmetalled roads which you entirely maintained out of your own funds?—Yes; they used to be done in three different ways. First of all we used to keep one man as a sort of district road officer; he used to get the money and employ the coolies, and see that the work was done.

40010. Was it done by servants of the District Board?—Yes, in certain places. In remote places, where there was not sufficient labour to be had, we had generally a sort of contractor who procured the labour from other places. Thirdly, it used to be done through tahsildars, when we did not get even a contractor; then unless the tahsildar used his influence on the *raiyats* and induced them to help, it could not be done.

40011. Anyhow, all the unmetalled roads were done directly under your supervision and under your orders?—Yes.

40012. Would it be a good plan to employ an Engineer under the District Board to undertake all the Public Works of the District Board?—That is already done, and everything is done under him, but even now it has to be done in the way I have described, some by contract and so on.

40013. Have you a Finance Committee in your District Board?—Yes. I suggested its formation. When any budget question is coming before the Board, the day before the meeting it is considered by this committee of experts, as you might call them—*baniyas* and others; they see everything and write their opinions, and these opinions are put before the Board at its meeting the following day, and they are very useful.

40014. Are there any other committees or sub-committees of the District Board?—Yes, for every different work. Suppose we want to go into a particular question we appoint a committee; they investigate the matter and put it before the Board.

40015. You have no committees for roads or primary schools?—No, but I think they would be useful.

40016. Should the District Board have its own agency, its own sub-inspectors of schools, to inspect the primary schools and supervise their work?—Yes, that is useful, but they should not be simply by themselves; they ought to be, again, under the supervision of the department.

40017. But you think you ought to have your own agency, who would act under the general instructions and supervision of the Commissioner and the Education Department?—Yes, that is very useful.

40018. Are land settlements usually made with you for 20 years?—Twenty years in places which were not then irrigated, but there are certain places which are irrigated afterwards, and they increased the money for that; every year more land comes into cultivation.

40019. When you said you would not allow subordinates to appeal to the Government of India, what did you mean by subordinates?—Men whose salary is, say, under Rs. 20, men who are of inferior class.

40020. Apart from that, you would not in any way restrict the existing rights of appeal?—No.

40021. (*Mr. Hichens.*) Were you nominated to the District Board?—Yes.

40022. How many members are there?—About 56 or 57.

40023. What proportion of them are elected?—None are elected; they are all nominated.

40024. How often did the Board meet?—Sometimes once a month, sometimes once in two months, sometimes once in three months. If a lot of things required to be done at once there might be a monthly meeting, but when the Deputy Commissioner is away in the hills, or there is nothing particular to be done, it is no use giving trouble to men to come to the District Board meeting.

40025. Did you meet on an average perhaps once every two months?—On an average less than two months, say, eight or nine times a year.

40026. On an average how many of those 57 members came to the meetings?—It varied; suppose there was a horse fair or something like that, practically every one who was not unwell came. We never had any difficulty in getting a quorum. That was partly due to another thing; I used to tell them that if they were not going to come for, say, two or three meetings, and I saw that they did not take any interest in the work of the District Board, I should put their names before the Deputy Commissioner to be removed.

40027. In your time did the Finance Committee go into budget questions in detail?—I cannot say that, as to the budget, they used to do very much, but all matters of money that had to come before the full Board the following day would be gone through by the committee in detail.

40028. Were you Chairman of the Finance Committee?—No.

40029. Did you understand what money you were entitled to get from the Government and why you were entitled to get it?—Practically, yes; in the accounts we knew that so much was our allotment.

40030. Did you merely know that you had a certain sum of money at your disposal, but you were not quite sure how you got it?—We knew it vaguely; we know that the money is taken from Government revenues.

40031. But did you know that the Government made certain deductions?—No, not very thoroughly; we had a sort of idea of the whole thing; we had a sort of fund which we were not to spend, that had to be kept for emergencies, and could only be spent with the sanction of the Government; when we had no other money left we used to spend out of that money by asking the Government.

40032. Generally the attitude of the Finance Committee would be "We are going to get so much money this year; how shall we spend it," and they did not enquire particularly how that sum of money was made up?—There is generally a man who knows all about it, the Secretary, sitting there with them; they ask "How much money can we spend," and he says, according to the particular time of the year, "This is the money at your disposal"; so that they ask at the time, and they know it.

40033. Did some of the district cess go to you, while Government kept some for itself?—We thought all the District Board money generally came to us.

40034. You were not aware that the Government kept some of the district cess?—I did not know it.

40035. Would it be a good principle to lay down that the District Board was entitled to get the whole of the one-anna cess?—The best thing would be that they should get all, and use it as they like, because it is their money.

40036. Had you any *tahsil* committees?—No; we generally do these things through the *tahsildar*; but at any time, if we wanted to know anything in the *tahsil*, we used to appoint one or two members. Suppose there was a well which had to be looked after, and so on; there would be a member from that part of the country, and we would tell him to go to the place, and, when he came to the next meeting, give us all the details; sometimes he would be able to say straight off, because he would know all about the facts, otherwise one man, or perhaps two, would go and enquire.

40037. Was the District Board area too large for the members of the Board to be interested in collectively?—No; all these men generally meet; they know each other, and they know everything about the district.

40038. You do not think that more interest would have been taken if you had had a *tahsil* Board, for instance?—I do not think it is required, because in most districts there are these committees called Municipal Committees; there are lots of Municipal Committees that we know about, and their account used to come to a clerk in the District Board office, and we used to know and arrange about those too.

40039. You say here that subordinates are generally corrupt. Is that not a very serious statement to make?—It is.

40040. It is a matter of very great importance that you should get a pure and upright Service?—Quite so; it is of great importance.

40041. What remedy would you suggest?—I suggest two different ways. One is that in any of the lower staffs, peons or any other lowly-paid class, there should be two grades, one with the ordinary pay and one with a bigger pay. In the case of serving a warrant or a summons, the constable told off to serve it goes to the man, the man gives him something, and the constable returns and reports—"This man was not in the place," and that gives rise to a good deal of trouble and delay in the working of the law. There ought to be two different sorts of constables, one confined to ordinary work and one with much higher control, and the latter should be entrusted with the work of serving summonses, and so on. The same with *patwaris* and with peons. Such work as serving warrants and summonses should be given to men on better pay, who could be relied upon. The second thing is that these men in the higher grade should all give security; that would go to justify their receiving higher pay than ordinary men of the same class, and if they did anything wrong their sureties would be liable. There should also be a sort of Investigation Board, simply for the purpose

of going about in the district, visiting first one district and then another, and so on; talking to the *zamindars* and others separately, enquiring whether any of the local subordinates were corrupt, going into any allegations then and there on the spot. Such a Board would say to themselves, "This is our only work, we must justify our existence," and they would do their work thoroughly: while the fact that such a Board existed, and might at any time visit any district, would tend to terrorize the subordinate into good conduct, for they would never know but that the next visit of the Board would be to their particular district.

40042. Are you acquainted with the Colonization Bill?—Yes.

40043. Was that Bill vetoed by the Viceroy last year?—Yes.

40044. Did that vetoing give satisfaction?—Every one was rather annoyed with the Bill because it curtailed certain rights which the people had, and therefore they did not like it.

40045. Is it desirable that the Government of India should have control over legislation of that sort?—Yes, they must have.

40046. Have you sub-divisions in your district?—There is going to be one.

40047. Is the sub-divisional system a good one?—I do not think so, because it is always the officers who are new comers who are put in charge of them, who sometimes do not know the language, and who clever by themselves, very far away, are not sufficiently clever to deal with the matters which come before them.

40048. Who are in charge of sub-divisions generally?—Generally very young officers.

40049. Are they not Extra-Assistant Commissioners?—Of course, if they were old Extra-Assistant Commissioners with long service, it would be far better than quite young men.

40050. Still, if you had officers of some experience in charge of sub-divisions, and the whole district was divided into sub-divisions with the officer living in them, you would have more control?—I do not think so, unless the Sub-Divisional Officers went into details. Any officer, if he wants to know about these things, could do it quite as easily.

40051. But would the people not like the authority near them, would it not be easier to get to the Sub-Divisional Officers?—No.

40052. You do not agree then?—No, because the more an officer tours about the less the people like it.

40053. Should the Deputy Commissioner not tour?—Not so much as he does now.

40054. How long does he tour now?—There is no particular time in the year.

40055. Is the present Vice-President of your District Board a non-official?—Yes.

40056. Are the Vice-Presidents generally non-officials?—From the time they appointed me and saw the work was done efficiently they have selected good responsible men from the district.

40057. Do you know if that is the practice in the province generally?—As far as I remember there is a sort of law that when the President is an official at least there should be one who is a non-official, because generally officials cannot give time to the work. A man who has other work to do cannot give the time that another man can who has nothing else to attend to.

40058. Is the President elected, or does the Deputy Commissioner become President because he is the Deputy Commissioner?—He becomes President because he is Deputy Commissioner.

40059. And you do not want Deputy Commissioners to be Presidents?—No, and besides if a Deputy Commissioner goes to a place and says that a certain thing has to be done, it is done.

40060. Cannot the District Board advise him?—Most of the members have not sufficient knowledge to advise him.

40061. Would you like a non-official President to the District Board?—Yes, because the members would be encouraged to say what they want to say.

40062. Is the Deputy Commissioner not to have anything to do with roads, education or medical relief work?—He has everything to do with it.

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40063. But he will not if he is no longer President? —But generally he would and he might be given powers. If the work is done by the Vice-President and anything special is brought before him he will probably think about it; but if he is present himself no one will dare to say much. He might have power to go through a case and say "This is wrong, I veto it," or if the majority have decided that something should be carried out, he might direct that it should be carried out.

40064. You would give him an outside veto then, but not an opportunity of discussing matters on the Board?—I think if he talks to the Board he influences them too much.

40065. Is it not possible that a great land-holder like yourself might also influence the members of the Board?—Not so much, because the Deputy Commissioner, supposing he gets annoyed with a man, may say that such and such a man had said something which he ought not to have said.

40066. Did you have to send up your District Board budget for the approval of the Commissioner?—As far as I remember we used to do it ourselves: afterwards it went to the Commissioner when everything was settled.

40067. Supposing in the course of the year you wanted to make a reappropriation, to transfer money from education to roads or *vice versa*, would you have to go up to the Commissioner for approval?—I think so, as far as I remember.

40068. What powers had you in regard to appointments; could you appoint a clerk to the District Board, say, without the sanction of the Commissioner?—Yes, up to a certain amount we could—up to Rs. 20.

40069?—Supposing you wanted to get rid of a clerk on Rs. 30, who would dismiss him?—The Deputy Commissioner as President.

40070. Would he have an appeal?—Yes; he could appeal to the Commissioner.

40071. Not to the Board as a whole?—No.

40072. The Madras custom is that the President dismisses, and there is an appeal to the whole Board; would it be a good thing to have an appeal to the Board as a whole?—It would be of no use at all; if the Deputy Commissioner dismisses a man there will be nobody to appoint him again.

40073. Did you have to send up many works for sanction to the Sanitary Engineer?—Not very many.

40074. Had you to get the approval of the Commissioner or the Executive Engineer to the estimates for road work?—Generally we had a sort of engineer of our own who made the estimates himself, and they were passed by the District Board.

40075. But in some provinces, where the estimate is over a certain amount, it has also to be checked by the Executive Engineer?—In certain big things the Deputy Commissioner would generally ask the opinion of some big engineer.

40076. Is the Executive Engineer a member of the Board?—Yes.

40077. Have you a Secretary of the Board?—Yes.

40078. Who is he?—We generally advertise for a man and get the best we can. His pay is about Rs. 150, which is under the pay of a tahsildar, but he has the same sort of position as, if not better than, a tahsildar.

40079. Did you have any powers as regards veterinary work?—Yes; there were two or three Veterinary Assistants under the District Board.

40080. Had you more freedom in one thing than in another; more freedom in the matter of roads than with schools, and so on?—Except for the little things I have pointed out, I think the Boards have quite enough powers if they are not checked in using them.

40081. (*Sir Frederic Lely.*) You say that the people do not like officials touring; why do not they like it?—Because there are so many officials touring—there is the naib tahsildar, the tahsildar, the Deputy Commissioner, the Assistant Commissioner and then the Revenue Officer, and there are certain orders of Government now that they are to tour for seven months out of the twelve. What they can be doing all that time I do not know, and as there are only two crops in this province, I should think if they toured for two months at each crop it would be quite sufficient.

40082. But why do the people dislike it?—Because when a man goes about with his *chaprasis* they seldom pay anything, and the zamindars and *lambardars* have to be in his camp and cannot do their own work, besides which there are all sorts of possible inconveniences when a man goes to a place on tour.

(*The witness withdrawn.*)

The Hon. LALA HAR KISHEN LAL was called and examined.

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40083. You are a Barrister-at-Law?—Yes; I practised at Lahore for some years, but I am not practising now. I have lived in Lahore for 25 years.

40084. Have you any knowledge of modern village life?—Not very much, but still I have some, because I have been connected with agriculture in some villages here and elsewhere. I own land.

I would certainly be prepared to give borrowing powers to Local Governments for specified purposes, such as sanitation, water-works, and development of local resources, such as electric power and feeder railways. They should not go out of the provincial market though allotment may be permissible to outsiders.

I would certainly give larger administrative powers to provincial Governments in matters concerning sanitation and municipal administration, and in matters relating to famine, plague, education of the masses, and development of the natural resources of the soil; in these and such like other matters I would give them complete freedom of action irrespective of the policy laid down by the Government of India.

The influence of the Government of India is certainly in the direction of excessive rigidity and uniformity, as is evident from the change of policy in matters of education, plague, recruitment to appointments by competition, and local self-government. I would leave the subjects of education, sanitation, municipal government, and material and moral progress of the people in general entirely in the powers of the Local Governments, constituted on some more liberal lines, and assisted by Executive and Administrative Councils.

It is certainly a fact that the Imperial Secretariat views matters too much from a purely departmental

standpoint, and the Government of India is too impersonal and too much dominated by considerations of revenue. These facts can be illustrated by several recent measures, *i.e.*, the canal rates, and the sugar industry may illustrate the departmental treatment of the subject; the separation of the judicial and the executive functions may illustrate the domination of ideas of revenue over all other considerations.

There is not much use in maintaining Directors and Inspectors-General for departments which are primarily administered by Local Governments, unless the officers holding these appointments are experts and specialists and their services are utilised in dealing with special matters in these departments, which could not be adequately and efficiently dealt with by the provincial Heads of Departments.

It is desirable to allow provincial Governments to develop their administration on their own lines, adopting or not, at their discretion, suggestions of reform brought to notice from other provinces.

The law and practice of appeal to the Government of India in respect to administrative action or personal questions should not be curtailed, and appeals should be admissible without a certificate from the authority passing the order, unless the constitution of provincial Governments is altered to Lieutenant-Governors or Governors in Council on liberal lines.

The Boards of Revenue and the Financial Commissioners may be abolished, and an Executive Council given to the Heads of the provincial Administrations. The appellate and the revisional powers of these functionaries should be transferred to the corresponding Judicial Courts; and no more extended powers in matters relating to revenue should be given to these



functionaries excepting so far as they relate to the remission and postponement of revenues in times of distress and famine.

The Commissioners of divisions may safely be abolished without injuring the efficiency of the administration.

No more extended powers are required for Deputy Commissioners in matters of revenues; on the contrary, I would control their powers by Administrative or Advisory Councils.

I am not in favour of the delegation of powers now vested in Local Governments to its subordinates.

The influence of the provincial Governments, as of all centralized authorities, is in the direction of excessive rigidity and uniformity, and that arises from the fact that local conditions are neither studied nor considered; this could be reformed if the Imperial Government was not dominated by the ideas of a uniform policy throughout the country, and the officers took a more sympathetic view of the people than of the policy of the Government.

Executive Officers have opportunities for personal contact with the people; but such opportunities are not utilized with advantage. The greatest obstacles in the way of freer intercourse are the want of sympathy with the people and their institutions, and the general idea of the inferiority of capacity and character of the people entertained by most of the Civilians. Better results could be obtained if the higher authorities themselves set a better example, and appreciated and rewarded local knowledge more than command over the routine of the business and fine drafting of the reports.

Executive Officers as a rule do not possess a sufficient knowledge of the vernaculars.

No general increase in the administrative staff is required, nor any general reduction in the area of district or other charges; but the Collectors and Deputy Commissioners may well be relieved of their judicial work and municipal administration.

I do not think the grant of larger powers would entail the necessity of selection to promotion by merit rather than seniority; but at present there is really too much stress laid on right of seniority.

The transfers of officers are certainly, in some cases, unnecessarily frequent; they are mostly due to a desire of adjustments of promotions in the Civil Service on the basis of seniority. If this desire is done away with, the too frequent transfers will be reduced.

Municipalities and District Boards do not at present require any extended powers; what is really wanted is less hampering from district and other authorities. They should further be left completely in charge of revenues they collect, and be not required to contribute towards the maintenance of police and similar other charges, as the functions of these bodies are not the preservation of the peace, but the convenience of the public.

I am certainly in favour of the creation of Advisory Councils to assist the District Officers; the Divisional Officers, i.e., Commissioners, being, in my view, unnecessary and to be abolished. These Councils to consist of members to be nominated by the Local Government, and to be in some cases elected by certain bodies which are coherent and capable of electing or nominating their leaders. All the various interests of the localities, such as agriculture, trade, religions, religious institutions, education and special castes should be represented on these Councils. These Councils could be made responsible for the following matters:—The economic condition of the people; the social life of the people; the state of crime in the country; the feuds, tribal or local, which are likely to affect the public tranquillity; any general ill-feeling between any of the classes and creeds which is likely to affect the public tranquillity; the relations of the ruling class towards the people; the practical working of the revenue administration; the defects in the administration of the various departments of State, affecting the people; and the educational, commercial and industrial interests of the country. They should enjoy the privilege of initiation.

I would suggest that Advisory Councils or Administrative Councils should be provided for special Heads of Departments, such as Railways, Irrigation, Forests, Education and Public Health; and these Councils should deal with all matters concerning the people in general or large bodies of the people.

I do not think it would be expedient at present to invest District Boards with powers of supervision and control over the smaller municipalities; but a provincial Board may with advantage be organized to have control over the municipalities and District Boards to replace the control of the Commissioners and of the Local Government.

With the present disorganized state of society I do not see the possibility of working out a feasible scheme by which village communities may be empowered to dispose of their own local affairs.

40085. Have you ever had any connection with the municipality or District Board in Lahore?—No.

40086. You mention as an illustration of the purely departmental manner in which the Imperial Secretariat does things, the sugar industry; what have you in your mind?—There are two Departments of the Government of India, one the Commercial and the other the Revenue. The Commercial Department have been trying to improve the sugar industry in the way of collecting information, and publishing in their magazines statistics and general suggestions for the improvement of the industry, but at the same time as they were doing that, there came out the canal rates in the United Provinces and the Punjab raising the amount on sugar, which shewed the departmental way in which questions are dealt with by the Government of India: on one side was one department pushing one way, and on the other side was another department cutting at the root of the industry.

40087. You would admit that if the Government spend a large sum of money on irrigation works in a particular part of a province, in justice to the people in other parts it ought to levy a remunerative rate for the water?—In a general way that is quite right, but the remunerative rate must have some limit. The canals in the Punjab have been paying hand over fist, and the argument that the rates were not remunerative would not hold here.

40088. Do you mean to say that the rates are excessive and more than the water is worth?—When it is a monopoly there is no question of the value of a thing; the value has to be worked out by the returns on the land, and that again depends on various other considerations. Sometimes they may work out at a profit on account of extraneous causes, but the people who own irrigated land say that they do not get much profit, and that they have reached the limit.

40089. Then what you say is that the Government of India have raised the rates without paying due regard to the returns from sugar cultivation?—That is so.

40090. Have you any practical knowledge of sugar cultivation?—No, except in a general way.

40091. You would suggest that both Commissioners and Financial Commissioners should be abolished?—Yes; the Financial Commissioner in a certain particular case namely, if the Lieutenant-Governor has an Executive Council, but the Commissioner, I think, is absolutely useless.

40092. What do you understand to be the use of the Commissioner at present—any use at all?—We call him a post office.

40093. And nothing else?—Nothing else.

40094. Would you remove him and would you have Deputy Commissioners corresponding directly with Government?—In some cases certainly directly, but in other cases, if there is a Financial Commissioner, he would do it through the Financial Commissioner.

40095. Supposing one Deputy Commissioner wrote one thing for his district and another wrote another thing for his district, would not Government be in rather an impossible position if it had to deal with all the 29 districts in the province at once with their varying opinions?—I do not think so, in so far as Commissioners do not improve on matters and do not reconcile the various interests. The Deputy Commissioners send up various reports according to the requirements of their districts, and I do not know of any instance in which a Divisional Commissioner had unified anything so far as his districts were concerned.

40096. Have you ever seen what the action of a Commissioner is in particular cases?—I have not exactly seen the files, but as the cases concern the people, one must know about them.

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40097. But taking the case of a typical Commissioner who in his past life has had knowledge of his districts, and who also travels about most of the year, does he not know a good many people in a district, and do you not think a man like that ought to be able to co-ordinate the facts and conditions of those districts so as to present a sort of unified proposal to Government?—That might be done, but whether it would be of any specific advantage is another matter.

40098. That is the main object of the Commissioner's existence, but you do not think he does it?—I think there is very little result in practice.

40099. But if a Commissioner did his duty, would that not be the case?—His duties, of course, are not wholly the co-ordination of differences of opinion.

40100. Is no intermediary between the people and the Government necessary?—There is the Collector.

40101. Next to the people stands the Deputy Commissioner, and then between him and the Government you think no intermediary is necessary?—I do not think so, excepting in technical matters.

40102. Do you think that the whole 29 districts should address the Government each on its own case?—I should think so.

40103. You mention that the municipalities are required to contribute towards the maintenance of the police, but are not you aware that that has been put a stop to?—It has for one year in Lahore, but I was asking a Municipal Commissioner this morning on the subject, and he said though they got the relief for one year, they did not know whether they were going to get it for another year or not. He thought it was on account of the plague demands that they had got the relief for the one year.

40104. Is it not often very difficult for people to ascertain and understand the intentions of Government?—Sometimes it is.

40105. For instance, in this particular case apparently the views and intentions of Government are not very clearly realised, whatever they may be?—I do not know, because I have not seen the correspondence myself, but very likely they have been misunderstood.

40106. With regard to an Advisory Committee, you propose to make it responsible for public tranquillity; do you mean that they are to go out and stop riots, and so on, that may be taking place?—No; so far as initiation goes, if there are any circumstances which ought to be brought to the notice of the authorities, they should do it without being questioned, or without being asked.

40107. Do you mean that they might be able to forestall any riot?—They might report and put matters in the right light before the authorities.

40108. Then you do not propose that they should go out in a body to put riots down?—They would have to do it if they are to be trusted, and they might be of use in that way also.

40109. (Sir Steyning Edgerley.) You apparently would abolish the Financial Commissioner and the Commissioners, and put in an Executive Council?—Quite so.

40110. Of what number?—Two, or perhaps, at the utmost, three.

40111. So that you would have one Board at the head of the province, then the Deputy Commissioner and the district administration?—Quite so.

40112. Very much as it is at present?—with some slight changes; there might be a question of separation of judicial and executive duties, and perhaps a separation of the treasury from the Collector's and Deputy Commissioner's duties might come in.

40113. What would you do with the treasury?—I would leave the treasury entirely in the hands of the Accountant-General, as education is left in the hands of the Director of Public Instruction.

40114. At present there are certain special departments in the province which help to do the technical work of the different departments; what would be your idea with regard to them?—In certain cases I would keep the entire administration in their hands, but in other cases they would be simply supervising agencies.

40115. Would they be able to give orders to Deputy Commissioners, or would they be advisory?—So far as the Deputy Commissioners are concerned, in most cases they would be advisory.

40116. Would the Deputy Commissioner get all his orders direct from the Government, simply having these technical departments to help him?—The technical departments in some cases would give an expert opinion, in other cases they would administer things direct.

40117. In that case also, would you say that in such matters as famine, plague and education, the Local Government should have complete freedom of action entirely independent of the Government of India?—Except on general broad principles, it ought to have independence.

40118. But you say "irrespective of the policy laid down by the Government of India"?—I would say, irrespective of the policy in certain cases; for example, in education.

40119. You would allow the Government of India to co-ordinate policy on any subject?—Yes; I would allow that.

40120. If you transferred all the appellate and revisional powers of Commissioners and Financial Commissioners to Civil Courts, would that not make everything much more expensive for the people?—No; I do not think so; it would make it cheaper.

40121. You do not think that a civil suit is more expensive than a revenue appeal?—A civil suit is only more expensive so far as the stamp is concerned; in all other respects it is the same.

40122. Are the fees for pleaders the same?—Yes; except when officers are in camp revenue appeals are more expensive.

40123. How would you propose to provide for the remission and postponement of revenue; you say that no more extended powers should be given to these functionaries, that is, the Board of Revenue and the Commissioners; but if those were abolished, all those functions would have to be provided for?—Yes.

40124. How would you provide for the functions at present discharged by the Commissioners and Financial Commissioner?—So far as the Financial Commissioner is concerned, the Revenue Member or the Revenue Board might have the power, and so far as the duties of Commissioners are concerned, in urgent cases they might be performed by the Collector.

40125. Then would you extend the powers of the Collector to some extent?—So far as remission is concerned, yes.

40126. And probably with regard to other things too?—In a few other matters of detail perhaps.

40127. Then you say that no more extended powers are required for Deputy Commissioners?—Yes; generally they are not, because it is rarely the Commissioner passes final orders on any of these things. It may be that in rare instances the Commissioner, as such, has real power.

40128. Do you wish us really to understand that "local conditions are neither studied nor considered" by the Local Government?—I did say that.

40129. Do you think the Lieutenant-Governor before acting does not consider or study the conditions of the district which his actions may affect?—In many cases conditions are different from district to district, and are not studied.

40130. You say that you think municipalities and District Boards have enough power, and what is really wanted is less hampering from district and other authorities; what suggestions would you make to that end?—First I would appoint non-official Chairmen as far as possible; Chairmen should be non-official, and in the matter of budgets also I would give them greater freedom than they have at present.

40131. Would you not submit the budgets for sanction?—No; except in exceptional cases, and they should not be modified by the authorities.

40132. If you had a non-official President, would you have any outside power of veto, or would they be allowed to go their own way and learn by their own experiences?—Except in cases where they were infringing the law, I would not interfere with them; apart from that I would leave them alone.

40133. Do you consider that the electorate and the persons whose fortunes are in their hands should have no sort of control over a municipality, or is there

sufficient public opinion to take the place of the Commissioner's authority?—A good deal of that is coming into existence, and the acts of the municipalities and authorities are more criticised now in the Punjab, sometimes in the newspapers, than in any other province in India excepting Bengal.

40134. Is the province ready for a general change of this kind, or would you advocate it only in the case of one or two municipalities?—I would go to the extent of saying that as to three-fourths of the municipalities you might effect a change at once; there are a few outlying districts which I would leave out, but, excepting those, I think the people are quite capable of managing their own affairs.

40135. In regard to District Boards, as well as municipalities?—Perhaps not quite so much to District Boards.

40136. Then you would begin with the municipalities and leave the District Board alone?—I would not go to the extent of saying three-fourths as regards District Boards, but perhaps one-third.

40137. You would choose the most promising districts first?—Yes.

40138. Would there be sufficient public opinion to keep them under control?—Yes; public opinion is growing very fast.

40139. What exactly do you mean by "outside control"?—I mean the control from the Government; except in case of the infringement of law, there should be very little.

40140. When the law is infringed, how would you exercise control?—By appeal; naturally the people affected would appeal.

40141. You have made a suggestion with regard to a "provincial Board"; what do you mean by that?—I mean that there might be a Council, with or without the authorities joining it, which might go into the general discussion of things, and which might hear in certain cases appeals from the District Boards and municipalities.

40142. How many would you suggest to form such a Council?—It might be done in this way that while the making of rules was being considered, you might have as many as 50 members, but as far as the appellate powers were concerned, there might be a sort of Privy Council.

40143. Would that be entirely independent of the Government?—Not necessarily, but in place of the Government one of the Members of the Executive Council, or, as in the present case, the Financial Commissioner might preside.

40144. (*Mr. Meyer.*) As regards revenue and rent appeals, does not litigation go to a more aggravated length in the Punjab than anywhere else in India? Have you not special appeals here which do not exist in other provinces?—In the judicial procedure we have more appeals here than elsewhere.

40145. And was not your Court so blocked that you had to have four additional Judges to work off the arrears?—Yes; but that would depend on the capacity of the Judges also.

40146. Whether it was owing to the incapacity of the Judges or the flood of litigations, is it not the fact that you had to get four additional Judges?—Yes; we had for a short time, but that has been the case with other High Courts also.

40147. Do you regard that as a happy position to which you desire to expose revenue appellants? Do you desire that they also should have to come to this congested Court?—I was not thinking that there would be the same number of Judges; perhaps if revenue cases were transferred, another Additional Judge might do the work which six or seven Commissioners do now.

40148. Do not the Commissioners do the work more expeditiously now?—I do not think so; some years ago the Commissioners had so much congestion of work that Divisional Judges had to be appointed and the judicial work taken away from them.

40149. When you speak of the Local Governments not studying local conditions, is it, possibly, in your mind that legislation is sometimes uniform for a province, instead of being tried in a particular district or two beforehand?—In some cases that also might be the case.

40150. Are not your ideas of local self-government a legitimate development, one may say, of the opinions associated with Lord Ripon?—He is a favourite of mine.

40151. When Lord Ripon was Viceroy did he not impose reforms in the direction of local self-government upon the Local Governments, who were not at all so keen on them?—Local Governments were certainly not so keen, excepting the Punjab Government.

40152. Would you allow the Local Government to regulate the pace or the Government of India: would you allow the Local Government to say to the Government of India "you may be in favour of this kind of government, but we are not and will stop it"?—Excepting upon broad principles, I would leave it to the Local Government.

40153. Do you call that a broad principle or not?—Broad principles of policy are the right of the people; the Government of India might bring matters to the notice of the Local Governments.

40154. But supposing the Local Governments are recalcitrant and will not take the same view, what is to happen?—In nine cases out of ten then I would follow the Government of India and not the Local Government.

40155. You desire to get quit of the Deputy Commissioner from the District Board and make him practically a Collector of revenue and a policeman?—There are many things that he does in addition to that; he is Registrar, he is Stamp Officer, he has general supervision of the people, and he is the District Magistrate.

40156. But I understand you do not want him to be District Magistrate any longer; you look forward to the day when he is to cease to be a District Magistrate?—Yes; more or less.

40157. Your Collector will then be literally a Collector; he will be a man who will see to the land revenue and issue processes when it is not paid?—In course of time it might come to that.

40158. Do you think that is a good position for the Head of a district to occupy or would you make the Head of the district the President of the District Board?—You only require the Head of a district for specific purposes; you do not require him necessarily to be a big man and a powerful man: so long as there is peace in the country and the different departments are co-ordinated, I do not see any absolute necessity for one man to hold all the power in his hands.

40159. But supposing there is no peace in the country?—Then of course there would be the police authority and the magisterial authority.

40160. Then practically the beneficent functions of the Deputy Commissioner—the way he is able to benefit the people by making roads or giving dispensaries or opening schools—are all to pass to the elected President of the District Board?—I do not know that there is much being done in the way of beneficent work; if the funds are there, the thing is done.

40161. Do you not think it is beneficent work?—It is beneficent in one sense, *i.e.*, it is beneficent by law.

40162. Still, is there not a certain amount of discretion as to whether benevolence shall be exercised in village A or village B?—If you are kind to one village, you are unkind to another.

40163. You say there is now more criticism in the newspapers, directed against individuals; do you think they would criticise District Boards effectively?—I think so, and criticism is not only directed against individuals, but against institutions, and against laws and measures.

40164. So that if you had an elected District Board in the way you suggest, possibly in time the newspapers might press for its abolition and want to go back to the Deputy Commissioner?—I do not think so.

40165. (*Mr. Hichens.*) What makes you prefer an Executive Council to a Board of Revenue?—We have no Board of Revenue here, but where there are Boards of Revenue it is a question of time and the co-ordination of policy. Now, so far as the Punjab is concerned, the powers are more or less divided between the

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Financial Commissioner and the Local Government, and it takes a long time really to settle matters by correspondence, but if a member is part and parcel of the Government, matters would be more facilitated.

40166. Is it because you think business would be more expeditiously conducted?—That is one reason. The other reason would be economy more or less, because now it is necessary to maintain a Revenue Secretariat both with the Local Government and the Financial Commissioner, and perhaps so many men would not be required in my proposal.

40167. But could you get on without a Secretariat?—No; but you would not want two.

40168. You are in favour of appointing non-official Chairmen of municipalities primarily and then of District Boards; would you have them elected or nominated?—I would rather have them elected by the Committee itself.

40169. As to the members of the Municipal Committee, would you alter the basis which exists to-day of one-third nominated and two-thirds elected, or would you keep that?—I would keep that.

40170. We were told by a witness yesterday that of the elected members the majority were not worthy of the position they hold in Lahore; would you subscribe to that?—Some of them are not, but I cannot say the majority.

40171. Would you say a substantial number?—I do not know; some of them, I know, are not really fit to be there.

40172. The point which the witness tried to make, was that the elective system has not worked very well, and that the best people would not stand because they would not demean themselves by resorting to the tricks which were necessary in order to get in?—That is one reason, but really they would not like to be snubbed by the official Chairman afterwards.

40173. Then he said that people would not object to be nominated; what do you say as to that?—I do not think that everybody would like to be nominated either.

40174. If they would not like to be nominated and would not like to be elected, what would they like?—They keep aloof.

40175. What do you suggest would happen in that case?—If the Chairman was a non-official, better men would certainly like to be nominated, because they would have a freer hand, and as to the elective system, my idea is that better men are coming to the front, because the electorate is getting more educated and appreciate the work done more than it did in former years.

40176. Do you think that the more responsibility there is thrown upon them the better they will realize it, and that they will feel more keenly the disadvantages of being represented by undesirable people?—Yes.

40177. So that your theory would be that it is only by giving them responsibility that they are likely to be able to bear it?—Yes.

40178. You said just now that members did not like being snubbed by the Chairman; is it such a common thing that the Chairman snubs people, that it deters them from going on these Boards?—It is more or less common; of course I could not give the exact number of people who are snubbed and how often they are snubbed, but I know it is pretty frequent.

40179. Perhaps they would retaliate?—I do not think so. I think the question is that we are so tied down by laws and interests that when the District Magistrate is Chairman, we have to quietly submit.

40180. Is not a fixed percentage of the income of District Boards or municipalities frequently ear-marked for certain purposes?—Yes.

40181. Is that a good principle?—It is a good principle so long as the budgets remain with the Commissioner or the authorities, but if it is left to the people themselves, I do not think it is good.

40182. Would you allow them to decide for themselves what they should spend?—Yes, and according to the circumstances of the time.

40183. You would leave it to their discretion, in fact?—Yes.

40184. In regard to the functions placed under these local bodies, would you say, if they are made to pay, that they should also be fully responsible for the carrying out of these works?—Yes.

40185. If they were told they had to provide money for education, is it a sound principle that they should be told in the next breath that they have got to hand it over to Government?—No; I do not like that; the man who pays ought to have the power of regulating the expenditure.

40186. If, in certain instances, a municipality decided on their own initiative to ask the Government to carry out a certain work for them, would you object?—No.

40187. But the initiative would have to come from them?—Yes.

40188. (Mr. Dutt.) You have been lately appointed a Member of the Legislative Council here?—Yes.

40189. And you are a banker, I believe, or a director of a bank?—Yes. I am a director of three banks—the People's Bank of India, the Amritsar Bank, and the Lyallpur Bank—and of several industrial companies.

40190. Have they branches in different parts of India?—Yes; the People's Bank of India has the largest number of branches of any bank—48.

40191. You say you are prepared to give borrowing powers to Local Governments for specific purposes; would a Local Government be able to borrow money at a lower rate of interest or at the same rate of interest as the Government of India does?—I think at the same rate of interest, but not lower.

40192. Would there be any difficulty in their borrowing?—No; within certain limits.

40193. Would you say that those loans should be contracted for a limited period and paid back within a limited time?—That would depend on the works that are undertaken. If the works are remunerative, I would certainly have them repaid within a specified time, but if they were not very remunerative, but at the same time paying a fair amount of interest, I would fix a longer period for repayment.

40194. But in all cases you would accept the principle that there should be a sinking fund to repay them?—Yes.

40195. Would you suggest that these loans should be contracted by Local Governments with the sanction of the Government of India or of the Secretary of State?—So far as the annual requirements go, and so far as the specified objects go, they should be sanctioned, but there should be some freedom of action as to the time and amount, with a sanctioned maximum.

40196. Should not some measures be taken to prevent these local loans clashing with those of the Government of India?—That might be done.

40197. So that the Government of India would have to sanction and regulate these loans?—Yes; to a certain extent. There should be no conflict of interest between the provincial Governments and the Government of India, but I would give them the authority to contract loans.

40198. Do you think that any capital would be forthcoming which is untouched by the loans of the Government of India in the Punjab, for instance?—Yes, I think so.

40199. You say that sanitation, education, municipal government and other things might be left entirely in the hands of the Local Governments, constituted on some more liberal lines, and assisted by an Executive and Administrative Council; do you make it a condition that Local Governments might be allowed all this independence when they are more liberally constituted?—Yes, I make that condition.

40200. You do not propose that a greater degree of independence should be given to Local Governments at present?—Not as at present constituted.

40201. At present you think a check is desirable and necessary?—It is very essential.

40202. You say that the canal rates were raised both in the United Provinces and in the Punjab, but are you aware that in the Punjab they have been reduced again recently?—Very likely that is so. They were postponed for one year, but I do not know whether they were postponed in the case of sugar.

40203. In the United Provinces the increased rate for sugar irrigation has been again reduced, but you do not know if that is the case in the Punjab?—No.

40204. You have said that you would not curtail the present right of personal appeal to the Government of India or to the Local Government; what are your reasons for that?—The reason is that in most cases that has come to my knowledge it is not the judicial blend of mind that leads authorities to pass orders of dismissal or suspension, but more or less anger, and in that case I should certainly leave the appeal in the hands of a higher authority.

40205. Do you think that orders are sometimes passed without due consideration beforehand?—Yes.

40206. And if the right of appeal is withdrawn do you think that evil would increase?—Yes.

40207. Are you familiar with the working of District Boards at present?—No: I only know what I gather from the prints and friends.

40208. Is it your principle that when a District Board pays money for any institution, whether it is dispensaries or schools or roads, that the Board ought to have control over the management of that institution?—Quite so.

40209. Would you apply the same principle to municipalities?—Yes.

40210. Would you, in compliance with that principle, suggest that District Boards ought to have their own agency for supervising and controlling and managing

primary schools?—Certainly, where they can afford it; if they cannot afford it I would go the length of joining two District Boards and giving them one staff between them.

40211. Should the same principle be followed with regard to roads and other things which District Boards pay for?—Yes.

40212. You say you do not see a possibility of working out a feasible scheme by which village communities can be empowered to dispose of their own local affairs; what do you mean by local affairs? Do you mean where there was a small village school the village authorities or the village panchayat should not have power to look after that institution?—In the Punjab, unless special effort is made, party feuds have gone so far that in most cases it would not be practicable to do it. From an economic point of view it might be tried, so that the people might get back to the old customs.

40213. Do these party disputes and factions prevail in all the villages of the Punjab?—I would not say in all of them, but in a very large number.

40214. And even where there are these factions, could you not trust them to look after a village school, or would they be fighting over it?—With increased education they might behave better, but I am not very hopeful of them.

40215. Might the experiment be tried in a few selected villages?—Yes.

(The witness withdrew.)

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Rev. E. GUILFORD was called and examined.

40216. (Sir Frederic Lely.) You are a Clergyman engaged in work in connection with the Church Missionary Society?—Yes; I have been in this country 26½ years continuously as a missionary at Tarn Taran, which is 14 miles from Amritsar. I have been President of the municipality at Tarn Taran for about 16 years. I also helped with regard to plague matters, and am Honorary Superintendent of the Leper Asylum.

It is in every way desirable that provincial Governments should be allowed the fullest scope to develop their administration on their own lines.

If there were but one race in India, general rules would suffice for all parts of the country. But India contains three distinct races, differing more widely according to every anthropological test than Swedes do from Italians, or Prussians from Portuguese, and within these races there are lines of cleavage as deep as those which separate any two nations in Europe.

I would make each provincial Government the final Court of Appeal for its officers.

The right of appeal should be granted only to officers of the Covenanted Service, and to the higher grades of the Uncovenanted Service, from the grade of Extra-Assistant Commissioner upwards.

I would give greater financial independence to Executive Officers by a system of block grants. The form of paternal Government, which was exercised by Deputy Commissioners 20 or 30 years ago, is now a thing of the past, and the Executive has suffered in consequence. In the case of Commissioners, the obstacle is the size of their several divisions. Formerly there were Commissioners for each district of the province, and they were able to keep in personal touch with their respective districts, but under the present system the division of a Commissioner comprises several districts; so that there can no longer be that close personal acquaintance with the people which is essential to good government in a country like India.

In the case of Deputy Commissioners the obstacles appear to be too much office work and want of continuity.

Executive Officers do not possess a sufficient knowledge of the Punjabi language. To remedy this, an examination in Punjabi equal to the Higher Standard in Urdu should be made compulsory.

It would tend to a great improvement of administration if the staff of Assistant and Extra-Assistant Commissioners were to be so enlarged as to afford an officer of one of those grades for each *tahsil* who should reside at the headquarters of the *tahsil* and not at the *wal*.

The transfer of Executive Officers is far too frequent. There were no fewer than seven Deputy Commissioners of the Amritsar district in the short space of five years, and the administration suffered greatly in consequence. A thorough knowledge of the people is absolutely necessary on behalf of the Executive Officer, and this knowledge is impossible without continuity.

I do not consider that any further powers should be granted to district municipalities in the present stage of their development.

It would be a help to the Executive Officers of each district if an Advisory Board were created, consisting of *zaildars* and some of the leading men of the district who should be nominated by the Deputy Commissioner and approved by the Commissioner.

It is both advisable and possible to give village communities greater powers than they possess now in the matters of police, sanitation and the disposal of petty criminal cases. I would advise the revival of the old system of panchayats for each village. These panchayats should be held responsible for reporting and detecting of crime in their villages. To assist them in this there should be in the place of the present *chaukidars* (who at best are but the menials of the *lambardars*, and the slaves for one day in each week of the *thanas*), pensioned soldiers of the Indian army who would be induced to go straight for fear of losing their pensions. If this were adopted it would tend also to popularize the Indian Army. The panchayats should be empowered to enforce the sweepers of their villages to keep clean lanes, *gallies*, and open spaces. They should further be empowered to try criminal petty cases, with a lock-up and stocks at their disposal, such as were used in England when that country was more advanced in civilization than this country is at present. It seems absurd that a person should be dragged 15 or 20 miles to the *tahsil* for the petty crime of stealing a carrot or some other equally trivial thing, and thus waste the time of the *tahsildar*, when the case could be much more effectively dealt with on the spot by those who know already as much about it as can be known.

40217. What race are the people with whom you have come in contact?—Sikhs, almost entirely.

40218. What is your special language?—Punjabi.

40219. You have a good colloquial acquaintance with it?—I should have by this time, I think. I would rather the natives answered that question.

40220. Are there any of the agricultural class among your converts?—Yes; we have one Christian village

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composed of people owning their own land, altogether separate from any others—Hindus or Muhammadans.

40221. Have you other converts living amongst the other races?—Yes, we have Christians living amongst the Hindus and Muhammadans.

40222. Then you are brought not only into contact with the people generally, but with the agricultural classes mainly?—Almost entirely with the agricultural classes.

40223. During your residence in India, have you noticed any marked changes in the relations between the people and the Government in any way whatever?—I think there is a very marked change and difference. There does not seem to be the respect for Government now that there was, or the fear of the law.

40224. To what do you attribute that?—Partly to the want of contact on part of the Executive Officers with the people. They do not get to know their people sufficiently well, nor have they the opportunity, inasmuch as there is no continuity of persons, and consequently not so much continuity of policy as there would be with continuity of persons. When I came out, for the first 14 or 15 years I think we only had two Deputy Commissioners in the district, one stayed at least seven years, and the other almost equally as long, and the consequence was that they were in complete touch with the people, were trusted by them, and confided in by them.

40225. Would you also say there is not so much contentment among people with their present position?—I would not say that generally; I think the discontent exists only amongst a very limited class at present, but there is the danger of it spreading.

40226. Is that the chief, or the only, change which you have noticed?—I should say there was a very great change in the condition of the people generally.

40227. Do you consider it has improved or the reverse?—Vastly improved.

40228. You refer to a system of block grants as giving greater financial independence; what do you mean by that?—I would have each Executive Officer make an estimate of the probable works which would be required during the year, and their cost, and send in the estimate. A block grant should then be given to that district in accordance with the estimate, and a freer hand given to the Executive Officer than he has now in the expenditure of that grant.

40229. That is to say, you would have the grant by districts and by divisions?—Yes.

40230. What is your general opinion of the character and competence of tahsildars and their subordinates?—There are very great differences in them; there are some good and there are some very bad; there are some very fair and some not.

40231. Are you prepared to make any general statement as to their average character?—No; I think I would rather not.

40232. Is there a general opinion among the people that the average officers, speaking of the men who come most in contact with the people, are sufficiently paid?—There is a general opinion that they are more than remunerated, not from the pay which they receive from Government, but in other ways.

40233. I am speaking now of what they get from Government?—I think it is not considered that patwaris and others are sufficiently paid.

40234. Is there a general feeling that the inadequacy of their pay by Government induces them, and to a certain extent justifies them, in getting payment from other irregular sources?—There seems to be a general idea that they are paid a low rate because of the other sources from which they derive income.

40235. Is one reason for their low scale of pay that they are understood to make perquisites?—Yes; it is generally thought so.

40236. And the taking of perquisites so far as it goes is not deprecated by popular opinion?—Yes; it is deprecated.

40237. But does the man himself bear the odium of it?—Yes; he does, but it is not cried aloud by the town-crier.

40238. On the whole would it be a good reform to raise the pay of village officers, especially of patwaris?—It would, if you could ensure having the right kind of man.

40239. Do your people get access to Government officers when they have any grievance or anything to complain of?—No; not the access that is their due.

40240. Is there any difference between the past and present in that way?—Certainly they do not get the access they used to.

40241. Does that apply to the tahsildar as well as to the higher officers?—No; it does not.

40242. Can they generally get to the tahsildar?—They can generally get to him, but not to the Deputy Commissioner.

40243. If a man has a grievance who would he turn to above the tahsildar?—To the Deputy Commissioner.

40244. Is there no Assistant Commissioner?—No; except at the *sadar*, and if he goes to the *sadar*, he prefers going up to the chief man.

40245. Are they both to be found at the *sadar* only?—Yes.

40246. Do they see nothing of the Assistant Commissioner during the touring season?—Very seldom.

40247. Is the Assistant Commissioner a personality in a district in the same way that the Deputy Commissioner is?—No; nothing like it.

40248. Are Indian officers above the rank of tahsildar more or less accessible in the popular opinion than Europeans, or is there any feeling on the subject at all?—I have had no experience of officers above the rank of Extra-Assistant Commissioner, and think there is sufficient access to them; there is no complaint of want of access to them.

40249. Are they more accessible, on the whole, than European officers are?—I think so, for the reason that they get about the districts more than a European officer does, and they are more in evidence among the people.

40250. Is there any officer between the Deputy Commissioner and the tahsildar to whom the people look as a matter of course for the redress of any grievance?—No; not for the purpose.

40251. In your experience are Indian officials as frequently transferred as European officials?—I should say yes.

40252. Do they stay as short a time in districts, on the whole?—Yes.

40253. Do you attach very great importance to officers remaining longer in their districts?—I attach the greatest importance to that.

40254. From the point of view of good administration and the ruling of the country, is that about the most important thing there is?—I should say that it is of prime importance; one has seen a very great difference in the district since that touch with the people has disappeared owing to the frequent changes.

40255. Did you get to know the district in which you reside after you had been there, say, five years?—No; I should say it took me 15 years.

40256. Would you say that your knowledge of the people of the district is still growing?—Yes.

40257. And the longer you remain there the more likely you are to know the people better?—Yes.

40258. Therefore, from your point of view, it is no use talking about a man going to a place for three, four, or even five years and getting to know it, but he should substantially remain there all his life?—If he could do so, it would be better from the point of view of good administration.

40259. Have you known of any other clergymen who have remained for a long time in one place?—Yes; I know of two cases.

40260. Would you say they are apt to get into a groove and lose their efficiency by remaining a long time at one place?—No; as far as one's experience goes, I should say their influence would increase the longer they remain.

40261. From the point of view of the good order of the district, would it be better to have a man who was in sympathy with the people whom they knew well



and who was possibly somewhat in a groove, rather than having a succession of new brooms?—I would much prefer the man in the groove.

40262. Is it your experience that the members of a municipality take a keen interest in the work?—No; it is not my experience.

40263. Are any of the members of your municipality elected?—Yes; six out of nine.

40264. Is there any hesitation on the part of the better men in the town to come forward and stand for election?—Yes, and very few of them will come forward; they will very gladly occupy seats on the Committee if they are nominated, but not otherwise.

40265. Do the nominated members take a keen interest in municipal affairs?—Yes.

40266. We have been told that in the past the financial relations of municipalities and District Boards with the Government have been exceedingly complicated, that is to say, that there have been debits and credits on the one side or the other which have caused a certain amount of confusion; do you know anything about that?—That has been so in the matter of education and medical work.

40267. Is it still the case or have the relations been simplified?—They have been simplified to a great extent. Formerly the Municipal Committee paid for half the medical expenses and half the educational expenses, but that has been simplified by putting the medical management under the Municipal Committee entirely, and the educational under the District Board.

40268. Is your municipality obliged to ear-mark a fixed percentage of its income for fixed purposes?—Yes.

40269. Is that a sound thing?—Yes, I think it is.

40270. Do you think a fixed percentage can necessarily bear any relation to the requirements of a particular service over the whole province?—It might possibly do so at times.

40271. Would it be dangerous to leave it to a municipality to decide how much they might spend profitably on a certain thing?—In the present development of municipalities I should say it would be altogether unwise to leave it to their discretion on the ground of their want of interest in the work.

40272. Taking, for example, the case of education, supposing it were left to the municipality to spend as much or as little as they pleased, and even assuming they spent nothing at all, in the course of a year or two would they not learn by experience that they had made a false step and redress it?—I do not think so.

40273. How would you develop their sense of responsibility?—I have tried as President to give them responsibility, individually and in groups, but I have found it to be an utter failure.

40274. Is not the difficulty rather that if anything goes wrong the municipality can always take refuge behind some official?—Yes; the Deputy Commissioner.

40275. And therefore they have not got to stand or fall by their own virtues or vices?—No.

40276. Under those circumstances, will they ever get any sense of responsibility?—If they were left to their own responsibility and they failed, their failing would have no personal effect on the members of the Committee, but would affect the whole of the community, and I do not think there would be sufficient regard for the whole of the community on the part of the individual members of the Committee to make them feel aggrieved at all in the matter of the failure.

40277. Does it come to this, that the electorate are not sufficiently educated at present to be able to appreciate the benefits of good government and to appreciate whether the functions have been well or badly carried out?—I do not think education has gone far enough for them to appreciate that.

40278. Not even in a municipality?—No; speaking of course of the smaller municipalities.

40279. Before you could give any substantially wider powers to municipalities of the type you are connected with, must you educate the electorate up to

taking a keener interest in public affairs?—Yes, I should say so.

40280. (Mr. Dutt.) What is the income of the municipality of which you are Chairman?—About Rs. 12,000.

40281. You say that the nominated members do take some interest in the work, but that the elected members do not. Can you suggest any reason why men who have taken the trouble to get elected cease to take any interest in the work?—With regard to those men who spend money over their election, there is generally a hope of some return.

40282. Would not that lead them to take some interest in the work?—Perhaps, because of their own personal interest.

40283. How is it that the men who are nominated take more interest in the work?—Because they are generally the best men who can be found.

40284. Are not good men returned under the present system of election?—The best men are not returned.

40285. Is that the case with regard to all municipalities, large and small, or is it only the case with regard to those municipalities which you are acquainted with?—I cannot speak from experience.

40286. Evidence has been given with regard to municipalities in other provinces, like Bombay and Bengal, that where there is a certain degree of self-government, and municipalities have been managed with a certain degree of success; can you speak in the same way of any municipality in this province?—I know of none; I know of one that was abolished because of the want of success.

40287. Are there many municipalities which have non-official Chairmen like yours?—Yes.

40288. In those municipalities is the work done fairly well or as well as it is done where there is an official Chairman?—I should say no.

40289. Is that because they do not take the same degree of interest?—Before the Municipal Act was brought into force, Tarn Taran, of which I am now the President, was infinitely better off than it is now, simply because the tahsildar managed the whole thing himself.

40290. But you would not lead us to believe that it has deteriorated under the present régime with you as Chairman?—I should say it is not equal to what it was.

40291. Do you think that in the Punjab the time has not come when municipalities under non-official Chairmen can get on so well as under official Chairmen?—I should say it has not.

40292. Are tahsildars, as a class, the sort of men we ought to expect for the pay that is given them?—Yes; I do not think you can expect better men.

40293. Is the present method of selection about as good as can be devised, or could the service be improved by selecting better educated men and men of better character?—I think it could.

40294. Is the method of selection susceptible of some improvement?—Yes.

40295. You are in favour I understand of an Advisory Board being appointed in each district to help the Executive Officer; if proper men were appointed, either by nomination or election, would that bring the District Officer and the district administration a little more into touch with the people?—I think it would be a step towards it.

40296. I infer that you think that is one of the most urgently needed reforms of the present day?—Yes, I think it is.

40297. (Sir Steyning Edgerley.) Is the knowledge of the vernacular amongst the superior Services adequate?—No; and I do not see how it can well be with the constant transfers which take place, and in addition the districts in the Punjab differ one from the other in the colloquial very largely; there is a difference between the language of the Manjha and the Bachna.

40298. How many languages are there in the Punjab which an officer might have to learn?—The two main languages are Urdu and Punjabi.

40299. Would a knowledge of those two languages carry him through his service?—I think so; he might

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find it a little difficult perhaps in Multan, but his knowledge of Punjabi in Multan would be of very great help in connection with his knowledge of Jatki.

40300. Have you any suggestion to make as to the selection of tahsildars?—No; I have none to offer at this moment.

40301. Has not the pay of the lower subordinates been very much what it is now for a great many years?—Yes; it has not differed.

40302. Have the minimum necessities of livelihood in that class increased?—Very much; they have more than doubled.

40303. Yet the pay remains the same?—The pay remains the same; in the case of a patwari for instance he does not get the pay now of a cooly.

40304. What pay does he get?—Rupees 10 or Rs. 15, depending upon his grade.

40305. What do you think he ought to get?—I should make that dependent upon the merits of the man.

40306. What do you think his pay ought to be to enable him to live honestly on his pay in the present day?—Certainly not less than Rs. 25.

40307. Do you think that if we do not give him as much as that, we have a right to expect dishonesty?—There is a temptation to be dishonest.

40308. Should you say that the official *morale* has improved or diminished, or that it is stationary?—I should say it is about the same.

40309. You suggest that chaukidars might be recruited from pensioned reservists, sepoy, and so forth?—Yes; for chaukidari work. I would not call them chaukidars.

40310. But is it not very essential that they should be actually residents of the village?—It is.

40311. Are there such residents in every village?—Yes; four or five deep, in my part of the country.

40312. You refer to the want which has grown up of necessary respect for the law, and so forth; to what do you attribute that?—To the general spirit of the age—there is unrest throughout the whole of Asia. The general spirit of the Oriental age, I think, is unrest and ambition.

40313. Does that mean that the people are becoming rather more educated?—Yes; it means that they are becoming rather more educated and more ambitious.

40314. Have you had a good deal to do with education?—Only with regard to primary schools. When I first came out I had charge of a high school for a short time.

40315. It has been suggested that there is a want of a sort of general manual which would teach principles common to all religions and which might be introduced into Government schools without offence to any particular religion; do you think that anything of that kind could be done at present?—If you mean a moral text-book without any reference to the source of morals, I do not think so. Bishop French was asked to draw up such a text-book by the Punjab Government, and he found it an impossibility.

40316. You say that the better people will not stand for municipal election?—The best people will not.

40317. What is the reason of that?—Because the people who stand resort to means which the best people do not approve of, in order to obtain election.

40318. Could that reason be removed?—Not at present.

40319. Is there any other reason?—That is the chief reason; they object to coming down to the hurly-burly of an election and all it involves.

40320. (*Mr. Meyer.*) You are in favour of village panchayats; but it has been stated that villages are honey-combed by factions, and that it is very difficult to make them work together for any common purpose; is there anything in that?—There is a little, but not much, so far as my experience goes of the Amritsar district.

40321. Are the people homogeneous there; are they mainly Sikhs?—They are mainly Sikhs.

40322. Have you had any experience of Pathans and other races?—No.

40323. Do you think the Sikhs can combine, and not quarrel amongst themselves much?—They quarrel but they would not quarrel to the extent that they could not arrange a panchayat amongst themselves for administering civil functions.

40324. Supposing they got grants from Government, or a portion of the cess levied in the village, to spend, might there not be quarrelling about the distribution of the money?—It would depend on what the grant was made for.

40325. On the whole, would they get on as well as an English Parish Council?—I do not think they would be quite a happy family, but they would do well enough. Their constituents would not be the same as the constituents of a Parish Council in England.

40326. Would you have them nominated or elected by the villagers?—I would have them elected.

40327. As regards the want of respect for the officers of the Government, and so on, to which you allude, is that not possibly due to the fact that the people see more of the officers of the Government than they used to, and find out that they are made of common clay after all?—No, I should say it is because they see less of officers.

40328. Do they not find out, at any rate, that they can appeal against practically everything the officers do, and get their decisions upset?—I should say the longer an Executive Officer remained in a district the more respect would be accorded him on the part of the people; that has been my experience.

40329. As a missionary, you have to deal with individuals in a small area; you take a few villages and work in them?—No; my policy has been to go over the whole district every year ever since I came out, and to visit every village in the district.

40330. Have you people who are subordinate to you in every village of the district?—No, we have only three or four villages where there are Christians, and we have subordinates in them, but I go to the other villages to proselytize.

40331. The Deputy Commissioner is not supposed to deal minutely with individuals; if he has a district containing over a million inhabitants he cannot possibly do so, but he has his subordinates and he is supposed to be the controlling authority for the whole district?—Yes.

40332. Taking that into account, would you say it was advisable that he should remain in the same district for the whole of his official career?—I should say the longer he remains there the better, especially if he acted on the principle that was practised by one particular Deputy Commissioner, and not by him only, namely, to make a tour regularly in the district, to stay at a village 3 or 4 days and hold a *darbar* every evening to which he invited all the people from the surrounding villages. In that way he got to hear what they had to say and got into personal touch with them. It is true a man cannot become personally acquainted with each individual of a million, but he can in that way get into touch with a very vast proportion of the people.

40333. What would you say with regard to Lieutenant-Governors? Do you think 5 years is sufficient for them to get an acquaintance with the provinces of India?—I should say it was sufficient if you choose your Lieutenant-Governors from officials of the province.

40334. And a Viceroy or Governor who comes out from home ought, according to your theory, to stay a life-time?—I would much rather see the Viceroy appointed from officials in the country.

40335. You are in favour of introducing a regular sub-divisional system—you would have an Assistant Commissioner or an Extra-Assistant Commissioner in each portion of the district, and make him the real local officer with the Deputy Commissioner above him as an inspecting and controlling agency?—Yes.

40336. Have you got this in the Amritsar district at present?—We have not at present.

40337. As regards the pay of patwaris, if you raised it by Rs. 5 or Rs. 10 a month, would they become more interested in the work and cease to take bribes?—I do not think so for a time, but you would attract better men, and gradually in that way you would improve the Service.

40338. Is there not, on the other hand, a tendency for a man to fix his bribe in proportion to his pay; and if you increase his pay will he not increase his scale of bribes also?—I do not know that that has been the experience among the patwaris of whom I am speaking at present, but it has been known, as you say, that in proportion to an increase of pay so have bribes increased, but that has not been the experience amongst the patwaris yet, as there has not been the opportunity.

40339. The patwari surely has opportunities for petty pilfering and taking bribes with regard to such matters as crop reports, and so on?—You will not possibly alter the present state of things if you increase the present pay tenfold with the present class of men, but if you increase the pay it will be likely to attract a different class of men in the future and in that way you would improve the Service.

40340. I see you say that there was once a Commissioner for every district in the province, but is that correct?—No; that is a slip of the pen; but there were double the number of Commissioners that there are at present, I think.

40341. Then as to the *zaildars*, whom you would like to put, in your district, on Advisory Boards, are they a sort of superior *lambardar*?—They have the oversight of about 15 villages on the average.

40342. Are they men of probity and of local light and leading?—Yes, for the most part.

40343. Do they tend to become hereditary?—No.

40344. Is there much competition for the appointments?—Yes; very keen.

40345. You say you want a District Advisory Board—would you have a Divisional Board?—I think it would follow.

40346. If you had an Advisory Board, would not the Commissioner need it rather more than the Deputy?—Yes, I should say the one thing would follow on the other.

40347. (*Sir Frederic Lely.*) With regard to the administration of villages by panchayats you say that panchayats should be empowered to enforce the sweepers of villages to keep clean lanes and open spaces. Do you contemplate the engagement of a staff of sweepers?—No; the sweepers are really the paid menials of the whole village in the sense that each individual occupier of land in the village has his menial whom he pays in kind, and if you had a panchayat you could force the whole of the menials to take part in the work of the sanitation of the village without having a paid staff; a paid staff would be most impracticable.

40348. Would you employ a paid staff for the purpose of enforcing this duty you mention, that is to say, a staff of *chaprasis* or whatever you may call them?—I do not think it would be needed.

40349. Would it not also be exceedingly unpopular if you did; would not the introduction in village government of new taxation and the employment of an organized staff be exceedingly unpopular?—I think it would, decidedly.

40350. Would you agree that those two things are to be specially avoided?—They would be most unpopular.

40351. Would you leave the cleaning of a village then to be dealt with by the people themselves in the old way?—Yes, but it need not necessarily be done in the old way; I would leave it to them to control, but it would be done better after they had been educated more.

40352. But you would leave it to them to do it in their own way?—Yes, though I would have it enforced if necessary by a higher authority.

40353. That is to say, you would make the panchayat answerable?—Yes, to the Deputy Commissioner.

(*The witness withdrew.*)

Mr. A. BROADWAY was called and examined.

40354. (*Sir Frederic Lely.*) What is your occupation.—I am a zamindar. I own an estate here of about 8,000 acres, with about 300 or 400 *raiya*s, who are mixed—Muhammadans, Hindus and Sikhs. I have been in the country since 1875.

Commissioners should be granted absolute powers to make suspensions and remissions of land revenue, and lease out Government land, whether irrigable from a canal or not, up to 100 acres. They ought also to have extended powers with regard to appointing and suspending or even dismissing subordinates in their divisions, say, from *tabsildars* downwards. This would increase their influence.

Outside revenue matters the Commissioner is practically unknown to the people. He acts as a connecting link between Deputy Commissioners and Government, but not between Government and the people. He has no practical influence in criminal and police administration.

Undoubtedly the opportunities possessed by officers for personal contact with the people are insufficient. Office work is one great obstacle, and the size of the district is another. Reductions in returns and reductions in size of districts are the two appropriate remedies.

Government officers generally possess a good knowledge of Hindustani, but an imperfect knowledge of local dialects, constant transfers being responsible for this.

I find that the people constantly ask for more European supervision. If that is barred on the ground of expense there should at least be an increase in the superior class of Indian employes. At present *tabsildars*, for instance, are quite unable to adequately supervise the work of their subordinates. Such supervision requires time, but more European supervision is what the zamindars would prefer.

It should be an understood thing that officers who took appointments even in undesirable districts should stick to them for a minimum period of at least three years. On the other hand, it might be arranged to grant officers who have held such appointments to get

more desirable districts at the close of such an appointment.

I am not in favour of the creation of such an Advisory or Administrative Council. Generally there would be no suitable persons to put on them. They would only add to the difficulties of the Deputy Commissioner. At present it is perfectly open to him to consult anyone he may choose in the district.

I am entirely against granting any such powers as are enumerated to village communities. Such a grant would not be favourable to people, and they would never appeal to bodies so constituted. The experiment has already been tried in this district and failed.

40355. Have you anything to say to us about any changes that you have noticed in the relations between Government and the people during that time?—I do not think there is much change among the zamindars. There is amongst us a class that has now sprung up, who are not thought much of; they are simply the sons of shopkeepers and people of no standing at all; they get this education, and they get discontented, because every boy who goes up for examination and passes thinks he ought to get into Government Service; those who do not are disappointed. I do not think there is anything like that among the proper zamindars.

40356. I am now speaking of the agriculturists and the classes dependent upon them; do you think there is much difference?—No, I do not think so, not amongst the older people.

40357. Do you think, for instance, that they know less of the Government officer now than they formerly did?—No; I do not think so.

40358. The Government officer still gives them opportunities of access?—Yes, every man who wants an opportunity gets it.

40359. Are you connected in any way with the Local Boards?—No, I am an Honorary Magistrate.

40360. Is your estate interested in the Local Boards at all; does it ever get any money or anything done?—No.

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40361. Do you consider that the working of the District Boards altogether meets the popular wants?—I do not know how else it could be worked.

40362. I suppose there are certain needs in your estate in the way of water-supply and roads; are any of them satisfied by the District Board?—Yes, I think so, according to the share of the district.

40363. But is that sufficient?—I think so.

40364. Is there sufficient money available from the district funds to supply your local wants?—The local wants are schools, roads, and hospitals, etc.

40365. But the drinking water?—The drinking water is not supplied by the Board at all; there are wells on estates or in villages, especially in villages, which may be common to all; everyone may draw water; there is no prohibition at all.

40366. There is no responsibility on the District Board to maintain the water-supply?—There has been no necessity for that, because these wells are worked steadily all the year round.

40367. But if a well falls out of repair, who is responsible for putting it right?—In the Punjab there are very few wells which are kept entirely for drinking purposes; they have all got a certain area of land which is cultivated by the water, so that the men are bound to keep them working.

40368. Is the District Board responsible for roads and schools?—Yes.

40369. Are those demands sufficiently met?—I think so.

40370. There is no complaint of want of funds for any necessary purposes?—In some of the very poor districts there may be, but as a rule there is always sufficient money.

40371. You are against granting any powers to village communities?—Yes.

40372. Is it important that the help of the people and the opinion of the people should be enlisted in the work of Government more than it is?—If there is anything which the Deputy Commissioner does not quite understand, as a rule he can always enquire from the people, and he can get at the best men. In a district there may be something necessary at one end which the people at the other end do not care about. For that particular purpose he can always get the best men from the part of the district concerned; if he does not understand the matter he can enquire from them and from his subordinates and can always find out in that way; it is much better that it should be left to him to do that.

40373. Do you find from your experience since 1875 that the average Collector does make such enquiries and does get facts?—I think the average Collector does.

40374. (Mr. Meyer.) Do you do much work as an Honorary Magistrate?—About six hours a day; I have a third of the district under me.

40375. Have you first class powers?—Yes.

40376. Do you hear second and third class cases too?—It all depends what the case is like: if it is a petty case I send it to the Subordinate Magistrates; if not, I keep it to myself.

40377. Have you jurisdiction over the Subordinate Magistrates?—The Deputy Commissioner has authorized me to send any cases I would like to send to the Subordinate Magistrates.

40378. Do you do civil work also?—Yes.

40379. Have you the powers of a Munsif?—I have the powers of a second class Munsif. I would not take first class powers because it means a much bigger business.

40380. What jurisdiction does the second class give you?—Up to Rs. 500.

40381. Are there many gentlemen like yourself who are doing honorary work for the Government in this way?—I am the only one in my district; I am not sure if I am not the only one in the Punjab.

40382. Is it long since you have had these powers?—Since 1883.

40383. Would you like to give Commissioners power to lease land whether irrigated or not?—Up to 100 acres.

40384. What are their present powers?—They have no powers at all now.

40385. Has it to go to the Financial Commissioner?—Yes, the Commissioner had powers formerly as far as 300 acres, but since the canals were started these powers have been taken away.

40386. Is it in respect only of canal land that they were taken away?—I think it was not known where canals would be started, and therefore they issued a general order.

40387. Three hundred acres under a canal may become a very valuable property?—Certainly.

40388. You would only give the Commissioner powers up to 100 acres?—I think he ought to have power up to at least 100 acres considering that he is the Commissioner.

40389. Would you give the Deputy Commissioner any powers?—The Deputy Commissioner would have to recommend. Formerly the Deputy Commissioner used to give up to 100 acres and the Commissioner up to 300 acres: now neither of them can give. As the Deputy Commissioner recommends, the Commissioner's decision should be final.

40390. Would you give Commissioners powers of appointing and dismissing tahsildars?—I think so.

40391. Would you allow them to post Assistant Commissioners and Extra-Assistant Commissioners within their divisions?—Yes.

40392. It has been suggested that we should break up the provincial Public Works budget, and give Commissioners sufficient funds from which to sanction Public Works themselves: would you favour that?—I would not like to answer that: I have not gone into it.

40393. As to education: would you give the Commissioner larger powers?—I do not know if he has any powers. If he has he certainly does not exercise them. It would be a good thing if he had to overlook education when he goes round in his districts.

40394. You find that the District Officer does not know Punjabi well as a rule?—No; all the District Officers, barring those who have just come out, know Hindustani, and if a man knows Hindustani he is understood anywhere in the Punjab; though he may not understand the man who is talking to him, if he talks in Hindustani, a Punjabi will understand him. These dialects out here are much the same as we have at home: one cannot possibly get to learn these dialects in a day. If a man is kept long enough in a district, he can get to master the dialect: in the Punjab if a man knows Hindustani and one of the Punjabi dialects, he can understand and be understood. In Multan and the Derajat it is a little different of course.

40395. Have there been many transfers in your district?—I think about two in a year.

40396. Have there been so many of late years?—Last year there were three transfers.

40397. Three different officers do you mean, or one man coming back?—There were three different transfers among Deputy Commissioners. That is to say, there were four different officers within a year.

40398. Then as to the Assistant Commissioners?—In the Jhang district we very seldom have an Assistant Commissioner: now and again an Assistant Commissioner is sent, but we have mostly Extra-Assistant Commissioners. It is a small district now since the Lyallpur Canal came in.

40399. The last witness told us that he was in favour of a sub-divisional system, letting each man live in a sub-division and exercising local powers there: would you be in favour of that?—All districts are divided off amongst the Extra-Assistant Commissioners or Assistant Commissioners. At present it is generally done in this way. In a small district the work is split up amongst the Extra-Assistant Commissioners in the same way, for instance, as I have a third of the district. There are three *tahsils* in the Jhang district now; I have one: I have the whole *tahsil* with three thanas in it, and there are two Extra-Assistant Commissioners who have the other *tahsils*, and all the work comes to us. It so happens that I live in my part of the district; the other men live at headquarters.

40400. But you are speaking now of case work, not the ordinary revenue work?—The ordinary revenue work is with the Deputy Commissioner and the Revenue Assistant.

40401. The idea was that you should have more assistants living in the sub-divisions and taking all sorts of work there, so as to be near the people and to relieve the Deputy Commissioner. Do you think from your experience that that would be a good system?—I have nothing against it; it would relieve the Deputy Commissioner to a certain extent, undoubtedly.

40402. And it would give the people shorter journeys?—Certainly.

40403. You say that the experiment of giving certain powers to village communities has already been tried in your district and failed; will you tell us a little about that?—The Deputy Commissioner who was responsible for the experiment has now gone to Jullundur; when he came to the Jhang district as Deputy Commissioner he started the system of having village panchayats; he got all the people together, and he asked me to attend too. I said it would not run, but I said he could try it. For every *zail*, that is, so many villages over which a *zaildar* is, they had a panchayat. The people did not take to it, for two reasons: one was that they found that the panchayat men were so likely to get people going to them and influencing them; another cause was that they found that when a panchayat gave a decision there was no appeal from it, and they did not like that. People have said to me over and over again "I would much rather not go there at all; I will go where I can appeal if the decision is against me," so that they did not make any use of the panchayat system, and it died a natural death.

40404. But suppose you took it a step lower down and had it in the village itself, where there is a certain amount of public opinion and a certain knowledge as to the real rights and wrongs of any particular dispute, might they not be more satisfied with the local panchayat there?—In most cases it would be useful, if a man were satisfied when he found that he was in the right and had got what he wanted; but in a lot of these cases a man does not care whether he has a right case as long as he wins it; he tries to get the case anyhow, and the consequence is that he will not go to the panchayat.

40405. It is a sort of game, and he must fight to the last?—That is it.

40406. (*Sir Steyning Edgerley*.) Are you brought into contact with a great many of the subordinate Revenue and Canal officials?—Yes, every day.

40407. Do the Revenue Officers administer their work honestly and straightly?—Very few of them.

40408. Up to what grade does that opinion apply?—Of course there are exceptions to every rule, but I do not think at present honesty has taken hold of the character of the people.

40409. You are speaking now of patwaris and the people in the lower grades?—Yes.

40410. Is the same true of kanungos?—Exactly.

40411. And of tahsildars and naib-tahsildars?—Yes.

40412. Extra-Assistant Commissioners?—Yes. As I say, the exception proves the rule; I do not think that the whole are like that, but I should say the majority are.

40413. Should you say that you have less trouble from that point of view now than you had 30 years ago?—No.

40414. There is no improvement?—None.

40415. You do not consider that it depends on the rate of pay?—No.

40416. What does it depend upon?—As long as there is a demand there will be a supply, and of course when the demand ceases things will improve. You cannot get any work done without working through the underlings. We have only one Deputy Commissioner in the district; it is impossible for him to control the whole thing; you go to him and he has to send the papers to his subordinates and find out from them how matters stand; it is only here and there that a Deputy Commissioner can check his subordinates.

40417. Is that true of all departments?—I do not know of any department where it is not done largely.

40418. What expenditure would you debit under that head in the course of a year?—I could not say, I think it must be enormous; there are so many ways of doing it.

40419. What is your remedy?—Supervision.

40420. For instance, would the Extra-Assistant Commissioner's supervision be adequate?—I do not think so. In many cases it would be, but there ought to be more European supervision. If you went through the districts, amongst the cultivating classes amongst the zamindars, that would be their cry—that they want more European supervision.

40421. Have you found that amongst your own employes the rate of wages has risen very much?—Yes. I heard one of the witnesses say that the patwaris' wages might be increased. I think so too: I think they ought to be increased, and there ought to be more supervision over them. At present a patwari can do almost anything he likes; he can fudge papers; he can go and give evidence in a case which is utterly wrong and contrary to the papers, and that is the way he makes his income.

40422. With his present wage is it fair to expect him to be much better than he is?—Hardly fair, but at the same time I do not think that by raising his wages at all you will prevent him, because he takes his appointment not for the pay, but for what he can make.

40423. What has been the rise of wages in the last 20 or 30 years?—I understand that you employ some 300 or 400 people?—I do not employ them in that way. I go on the Punjab system, where I have to take half the produce. I should say that where a man got Rs. 8 he is getting now Rs. 15 or Rs. 16.

40424. (*Mr. Dutt*.) Have you much knowledge of any other province of India?—No; I have passed all my time in the Punjab.

40425. We have had evidence before us in other places where witnesses have given a very high character to the Provincial Services generally. Have you any reason to suppose that the Provincial Service in the Punjab is worse and more corrupt than the Provincial Service in other provinces?—I would not say so: I should be sorry to think so.

40426. Did I understand you to say that the great majority even of officers of the rank of Extra-Assistant Commissioners were not straight?—Yes.

40427. We had contrary evidence with regard to the same class of officers in other provinces, so that you think that the same class of officers in this province is worse than in any other province: does it not come to that?—No; I do not hold that. It all depends from whom you got the evidence.

40428. We got it from high European officials. Suppose that evidence is correct, and that this class of officers in other provinces are generally perfectly straight and of high character, then it comes to this, that the officers in this province are worse than those in other provinces?—If your evidence is correct as to those provinces, that is so.

40429. Are your relations with your tenants regulated by the Tenancy Act of the Punjab?—Exactly.

40430. You do not receive rent in money from any of your tenants?—No.

40431. Has your revenue been settled by the Government?—Yes.

40432. Is it settled for 20 years?—The province is settled every 20 years: this is the second settlement I have had.

40433. Have you much experience of the canal colonies?—Yes; I have lands there too.

40434. What is the period for which the revenue is settled there?—I think it was 12 years when the canal was started.

40435. But as cultivation extends year after year I suppose the revenue is automatically increased?—As the cultivation increases it would increase too, but the way the Settlement Department increases the revenue is to see the condition of the land. Some land by constant cultivation improves: other land has not been worked up to the same extent and it has

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deteriorated; so that the Settlement Officer has to see what the condition of the land at the time of settlement is and put on or decrease the revenue accordingly. The revision begins at the end of every 20 years.

40436. Outside the canal colonies, what is the average area of each cultivator's holding on your estates?—Taking the lands that are worked by well cultivation, the individual holding would be at the very most 50 acres: that is the extreme.

40437. Is there generally a well in each holding?—Yes.

40438. Is the well sunk by the cultivator himself?—No, by the landlord.

40439. So that when you ask for half produce, it means that you ask for that as his rent, including the irrigation work which you have done for him?—Yes, but he has the lift.

40440. You sink the well for him?—I sink it for him and I have to keep it up.

40441. But he pays all the expenses of lifting the water and irrigating his own field?—Yes.

40442. (Mr. Hitchens.) You have drawn a very gloomy picture of the subordinate Government servants here; does the same thing apply to members of a District Board?—In a certain way I should say that it does; that is, if they had entire powers to run the whole thing themselves.

40443. Would you say that public opinion would have very little confidence in the District Board if they were left to their own devices?—Certainly.

40444. Is there any public interest in the doings of the District Board?—It would be all right if the members worked in a public spirit, but there are very few that do that; as a rule they pull their own ropes: that is where the trouble comes in, and that is what would happen if you removed official supervision.

40445. Is public opinion very weak?—Very weak.

40446. It could exercise practically no control?—No control at all.

40447. Your remedy is, more European officers?—Certainly. That is the only remedy I can think of; I am speaking after consulting the big zamindars, and I always found that they came to the conclusion that there is not enough European supervision.

40448. But suppose you had more European officers, would the victims be prepared to come forward and give evidence?—I think they would. Just now the trouble is this. For instance, two years ago the cotton crop was destroyed by the boll-worm; Government arranged that all the crops that were destroyed should not be charged revenue; that was the general order. But in some cases some men put down other crops, for instance, fodder, at the same time; that was only in a few instances. When the order came for letting off the cotton crops, I was talking to a zamindar who has lands on the canals. He took out a postcard, and said "I have just received this from our agent. It is true Government have let us off, but my agent writes and says 'If you do not pay the *silladar* at a certain rate, say, Rs. 2 a *kilda* (an acre), he will report and say that you had not only cotton, but this other crop, *dhol* or any kind of fodder there, and you will not be let off; so that it is advisable to pay him the Rs 2 and get let off, rather than have to pay the whole.'" I said "What are you going to do?" "Oh," he said, "I am going to pay." I said "I would not pay if I were you." He said "Sir, it would be reported against me, who is to check it; it will have to go through the Canal Department; it will have to go to the Colonization Officer; how can he come and inspect my fields; this man will stick out there was this crop, and I shall have to pay the higher rate; it is cheaper for me to pay the Rs. 2 now than having all this trouble of going up to the Colonization Officer, and in the end making an enemy of the *silladar*?" And this zamindar ultimately paid up.

40449. The upshot of all that is that, if you have any European supervision at all, you must have a great deal more?—Yes, you must.

40450. It must be something really substantial?—It must.

40451. You are not in favour of Advisory Councils?—No, I am not. If the men would work in a public spirit, it would be rather a good thing, but I do not know of any such men, to my knowledge, who would not work for certain objects.

40452. You have had a pretty wide experience of Deputy Commissioners?—I suppose there are very few now of the older men in the Punjab that I do not know; since I have been in my district, there have been about fifty there.

40453. Would you say that they realize that it is their business to consult public opinion and that they go about and find out as far as they can what is the general public opinion?—There are men with different temperaments; but a man who has any interest in his district and in his work always will find out before he takes any steps.

40454. Is it perfectly possible for him to do that under existing conditions?—Perfectly possible.

40455. And a good man always will?—A good man always will.

40456. Under those conditions it would not be necessary for him to have an Advisory Council?—No; I myself think it would be very hard on the men themselves, because the native character is such that they do not know what they are to do when people come to them wanting them to work on their behalf, so that very often, when a man would work straight, and wants to work straight, he is pulled aside by these other influences that come and overpower him.

40457. So far from being an assistance to the Collector, an Advisory Council would be a possible hindrance?—I think it certainly would.

40458. (Sir Frederic Lely.) You tell us you have no connection with the District Board?—I did have connection for five years, but I resigned, because I could not always be at these meetings, and there was a rule that if a member failed to attend for five consecutive meetings, he was supposed to have given it up. The Deputy Commissioner said he wanted me on the Board, and that he would not stick to that rule in my case; but I did not think it was wise to make any exception, so I said I would rather resign.

40459. You resigned because you had not the time to attend all the meetings?—That is so.

40460. Had you any feeling that your membership was fruitless?—It was not that; it was simply because I could not always attend.

40461. Were you ever offered the non-official Chairmanship of the District Board?—No, and I would not have taken it. In the first place, it is a very difficult post for a non-official to hold. I think the Deputy Commissioner is the best man for it; there are lots of things that come up to him in different aspects which he can handle better than an outsider could, so that his advice and his action would be much better than that of an outsider.

40462. Have you any other reason for refusing, or is that the main one?—I have another reason. A District Board is very much like a municipality. I know in one municipality the President is a pleader; in that municipality he can get in by votes any man he likes; the major portion of the people are his men, and he has got them in for years. When they want to vote for a certain thing which his party wants, all he has to do is to look up, and every man will vote for him; if he does not want it, he keeps his eyes down, and there is not a vote from that party. So that the voting is not at all honestly done. Then, if there is anything to be carried out, very often it is not the case that a man disapproves of it, but just to show his power he brings forward hindrances. The matter may be carried eventually, but there will be hindrances. The case will be put off for further consideration, and so on.

40463. Do you mean that if a clique like that was always arrayed against a non-official Chairman, he would find it very difficult to overcome it?—He could not overcome it.

(The witness withdrew.)



Baba GURBAKHSI SINGH, BEDI, was called and examined (through an interpreter).

40464. (*Sir Frederic Lely.*) You are a zamindar?—Yes. I have at this moment in my possession 6,900 acres. I am a member of the District Board and an Honorary Extra-Assistant Commissioner with first class magisterial powers.

There can be no doubt that the practical result of the system of Government as at present organized is to make the administration more and more impersonal from day to day. The change in the method of carrying on the work of administration now-a-days is specially felt by those whose memories of the days of personal Government have not yet faded away. The aim of the Government is to secure permanency of efficiency in the administration of the country. This is sought to be achieved by systematizing the administration. The central authority keeps before it the ideal it wishes to work up to. Rules and regulations calculated to realize that ideal are prescribed with a view to ensure uniformity of procedure. The minds of all who have to carry on the work under such circumstances are thus made to move in one groove. Another circumstance which by introducing routine in the work of administration has a marked tendency to make the Government of the day impersonal is the form in which evidence has to be collected in regard to the actual outturn of work being up to the standard required. Authority in matters administrative does not completely rest with those who carry on the actual work of the administration. It is distributed over a series of officers, with varying gradations in point of official position. Those who are in the subordinate ranks have to prove to those who are above them that the standard of efficiency is being fully maintained. That being the object, it is only natural that the mind should be withdrawn from the defects that may even be known to exist, and confined only to those features which would make the picture look rosy and beautiful.

It is because of this peculiar form of judging of the efficiency of work that considerations of revenue come to assume undue importance and override other considerations affecting the welfare of the people. The officials in the higher ranks of the Service, who have not the opportunities of forming their own judgment of the efficiency of work by direct daily contact with the people, have to be afforded proof of efficiency. It is therefore not unnatural that attention should be directed to such points of efficiency as would admit of easy demonstration. Increase in revenue is one of the indications of a successful administration. There may be circumstances in which increase in revenue may be the mark of the very reverse of a successful administration. But if the mind is taught to move in a groove, there is every likelihood of such contingencies escaping attention.

Executive Officers, though they can have opportunities of so doing, do not, generally speaking, come in close personal contact with the people. Here again it is the system that has to answer for the change that has taken place. The ordinary work of administration can be carried on, organized as it is on a system of clock-work regularity, without any intimate knowledge of the people. The necessity for such knowledge when not felt results in contact taking place with that portion of the community only, to know which is one of the routines of daily work. There are no insurmountable obstacles in the way of a more intimate knowledge of the people on the part of Executive Officers. The so-called difficulties are believed generally to be due to differences in religion, social life, habits and occupations of the people. They also in part involve considerations of personal inconvenience. This latter difficulty will disappear if Executive Officers come to realize that direct personal contact with all classes and sections of the people is an absolutely essential condition of their success in service. If the acquisition of intimate knowledge of the people comes to be regarded as the essential part of the duty of an officer, all the obstacles at present felt as such will disappear. An intimate knowledge of the people will make it clear that social and religious differences do not at all stand in the way of a better and fuller understanding of the people, and that there is much to interest and occupy those who make it a point to cultivate friendly relations with the people.

Executive Officers owing to a changed condition of things have not that knowledge of the vernacular now which their predecessors possessed.

I am in favour of the creation of Advisory Councils to assist District Officers. I would for the present have resort to a system of nomination which would secure on such Councils the representation of all the more important interest and occupations. I would suggest that such Councils should among other matters be consulted in regard to the following:—Matters affecting religions and religious ceremonies and observances; arrangements for suppression of crime; relief required in times of distress or failure of crops; proposals regarding assessments of revenue; proposals regarding taxation; measures relating to suppression and prevention of epidemic diseases; proposals regarding new legislation and changes in legislation; proposals regarding sanitary measures; proposals regarding means of communications and facilities in such communications; proposals regarding such measures of particular departments in the district generally as have a bearing on the welfare of the people.

40465. Have you anything to tell us about the use and functions and possible reforms in the District Board?—I have taken no interest in that. I cannot say anything about the reforms.

40466. (*Mr. Dutt.*) How long have you been a member of the District Board?—Seven years.

40467. Are meetings held every month or once in two or three months?—There are no fixed dates.

40468. Do you sometimes attend the meetings?—Seldom.

40469. Do you get rent from your cultivators in money or in produce?—In produce.

40470. In all parts of your zamindari?—It is the same in all.

40471. Is the settlement with you made for 20 years by the Government?—It is settled for 20 years.

40472. Do you know anything of the canal colonies?—Yes. I have got lands there.

40473. Are they settled for 12 years?—Yes.

40474. Who superintends the distribution of water there?—It is managed by the Canal Engineer and the Assistant Engineer under the supervision of the *zilladar*.

40475. Who makes the assessment and who makes the collection?—It is assessed by the canal patwari and collected by the *chahchelis*.

40476. Do they work under the orders of the Canal Engineer or under the orders of the Deputy Commissioner?—Under the Canal Engineer.

40477. So that both the assessment and collection work is done under the orders of the Canal Engineer?—The assessment is not done by the Canal Engineer; he makes a statement and sends it to the Deputy Commissioner.

40478. When the people have complaints to make about insufficient water-supply, do they go to the Canal Engineer or to the Deputy Commissioner?—To the Canal Department.

40479. Has the Deputy Commissioner any control over the distribution of water?—None.

40480. Would the people like the Deputy Commissioner to have some voice in the distribution of water?—It would improve matters if the Deputy Commissioner had a voice.

40481. You are in favour of the creation of Advisory Councils?—Yes; in my opinion there should be selected men of respectability and men on whom Government can put trust, otherwise there is no necessity for them.

40482. Who should select these men?—The Deputy Commissioner is the proper person.

40483. Should the Deputy Commissioner consult them in all matters relating to the welfare of the people?—Men of trust of course ought to be consulted.

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40484. Would the administration be made more popular if these men were frequently consulted?—If good selected men are appointed to the Advisory Council, it will be a good thing to ask their advice in all matters of administration.

40485. (*Mr. Hichens.*) You say that the Executive Officers are not in close personal contact with the people; do you allude to Deputy Commissioners amongst others?—It is very difficult to get access to the District Officers, and there should be more frequent visits.

40486. To what do you attribute the fact that the people do not come?—The District Officers have no time. If they like, they can see the people, but they generally say they have got too much work.

40487. Are officers transferred too frequently?—Some people are transferred soon, some are not.

40488. (*Mr. Meyer.*) You are an Honorary Extra-Assistant Commissioner: what work do you do in that capacity?—Civil and criminal.

40489. Do you try many cases?—I used to do a lot of work before the Land Alienation Act was passed, but now there is less work.

40490. Are there many appeals in this province?—Yes.

40491. Would not the work of officials be diminished, and would they not have more opportunities for mixing with the people if there were fewer appeals?—Yes.

40492. Might it not be a good thing then to reduce appeals?—Yes.

40493. Might not a Commissioner deal with a number of matters that now go to the Financial Commissioner or to the Local Government?—It would be better.

40494. Have you anything to say about village panchayats?—I am in favour of panchayats in the villages.

40495. What people are they in your part of the country?—There are few Sikhs. I live in Rawalpindi, but I have estates in Lyallpur and other districts.

40496. Are there factions in these villages?—There are all sorts of people in my villages—Muhammadans, Hindus and Sikhs.

40497. Do they quarrel amongst themselves?—Ordinary quarrels; they do not quarrel on religious points.

40498. Would they be able to work together in a panchayat?—There would be no trouble if there were Sikhs and Muhammadans and Hindus collected together in a panchayat.

40499. What sort of things would you give the panchayats to deal with?—Civil cases, cases in which there is any difficulty about water, and cases like that.

40500. Should they look after the village schools?—Yes; the village schools also should be included, and petty criminal cases.

(*The witness withdrew.*)

SARDAR BAHADUR PARTAP SINGH, was called and examined.

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40501. (*Sir Frederic Lely.*) You served for several years as an Extra-Assistant Commissioner?—Yes. I am now President of the Council of Administration of the Faridkot State. As such, I exercise the powers of the Ruling Chief, except that in capital sentences they have to be confirmed by the Political Agent.

Officers whose appointment is made by the Local Government should have a right of appeal to the Government of India. All others appointed by Heads of Departments should not go up to Government of India.

Sub-Divisional Officers may be trusted to sanction increases and decreases of revenue in fluctuating areas in their sub-divisions, sending up, for the information of the Deputy Commissioner, an explanation in case of extraordinary increase or decrease.

The appointments of tahsildars and naib-tahsildars, and their dismissal, should be in the hands of the Commissioner.

The appointment of *zilladars* of canals and of deputy inspectors of police, though left in the hands of their respective departments, should be approved by the Commissioner. But the dismissals of both may be placed in the hands of the Commissioner.

The appointment of superintendents of vernacular offices, head clerks, readers both in English and vernacular offices, *amlas*, *saildars*, *sufedposhes*, *inamdars*, head *lambardars* and *lambardars* and their dismissal should be placed in the hands of the Deputy Commissioners, provided that recommendations made by Extra-Assistant Commissioners concerned, both in cases of employment or dismissal, should be honoured. Glaring mistakes or gross injustice may be corrected by the Commissioner whose order should be final.

Sub-Divisional Officer's recommendations in affairs in their sub-divisions should be trusted and honoured without any doubts by the Deputy Commissioners.

Canal *patwaris* should be made subordinate to Revenue Assistants of the district, and through the latter to the Deputy Commissioner. I would suggest to reduce the present *halkas* of the *patwaris* of *mal* and make them do the canal work in areas, of course irrigated by the canals. But if this be somehow impossible, the canal *patwaris* can be made to serve under the direct supervision of the Revenue Assistant.

*Chaulidars*, *lambardars*, head *lambardars* and *saildars* are now serving both the Canal Department and the district authorities. If *zilladars* (canal) and *patwaris* be added to the common list, immense good will be done and considerable litigations will be avoided.

In Court of Wards matters, estates with income of Rs. 50,000 and more per annum may be considered worth looking after by the Financial Commissioner. Minor estates may be left to the care of the Commissioner. Deputy Commissioners may be trusted to spend up to Rs. 5,000 on improvements and Rs. 2,000 on family ceremonies. The Commissioner's order and sanction above Rs. 5,000 and Rs. 2,000 in case of minor estates may be final. In case of big estates, the Commissioner may sanction expenditure up to Rs. 20,000 on improvements, and Rs. 10,000 on family ceremonies, and the order and sanction of the Financial Commissioner above that should be considered final, provided that information be sent to the Local Government in case of extraordinary expenditure by the Financial Commissioner, and to the Financial Commissioner by the Commissioner.

In administrative appeals, a certificate from the authority passing the order is desirable where law or rules having the force of law is in question. I would allow one appeal without a certificate in case of executive practice to the next higher authority. In personal questions one appeal to an authority next higher to the authority passing the order of dismissal or fine will be sufficient.

Executive Officers have not sufficient opportunity of coming into contact with the people; the press of work is the chief cause. Caste prejudice is the other cause. No effort should be made to remove the caste obstacle. Every European officer going on tour should be provided with a "*shamiana*," and it should be ruled that on halt days the officer should hold *darbar*. He should talk freely and friendly to the leaders of the masses attending. Let the officer prove to the people that he is a "*ma-bap Sahib*" and tries to learn about the families of the leaders, and on learning calamities shows sympathy and expresses sorrow on public fate.

The knowledge of officers of the vernacular is with rare exceptions sufficient.

Much greater care in the selection of officers for Commissionerships and high commands will be imperative. Adherence to an educational test only in bringing out officers to India to begin with, if it be so, may be revised. Family claims and old connection with India may be preferred.

Transfers are very frequent. Five years' command of a district and five years' command of a *tahsil* may be fixed. If the officer in command of a district proves to be inefficient, give him one more chance, but after that he should never get a district. Attach him to complete service. If an officer in command of a *tahsil*

proves to be inefficient, give him one more chance, and after that he should never get a *tahsil* nor promotion, provided if the black mark be on account of bribes, turn him out for good. Occasional transfers may be made on account of bad health. Transfers on account of leave and furlough must be made.

I am not in favour of Advisory or Administrative Councils. Indirect recommendations are my fears. Let the Divisional or District Officers take advice from their subordinate Extra-Assistant Commissioners and trustworthy *tahsildars* and also Honorary Magistrates. If necessary, make these subordinate officers responsible for the commission or omission of a thing, and the result will be satisfactory.

The powers of village communities can be enlarged with advantage. It can be done with advantage. I give an instance—Mandi Abohar in the Fazilka subdivision of district Ferozepore is not even a "notified area," and is being worked up by the members of the District Board and residents of Mandi very handsomely. The little place is rising into a town. The Sub-Divisional Officer lays down simply lines of policy, but otherwise does not interfere.

I would introduce a system of panchayats, and would enlist all good and influential men from cities, towns and villages up to 20 men a panchayat, with a rule that any four members would sit and discharge business. *Thanawar* panchayats will be good to start. The headquarters of the panchayat should not be at the *thana*. No police nor pleader should attend the panchayat Court. Let panchayats be invested with powers as follows:—Criminal—sections 323 and 352, Indian Penal Code, with powers of fine up to Rs. 25 and no imprisonment at all. Civil—money suits up to Rs. 200 value. Revenue—produce cases up to Rs. 200 value. One *arzi nawis* with a license to sell stamps, and one *ahlnad* to do reader of the panchayat will carry on the work. Appeals from the orders of panchayat to go to Honorary Magistrates, and should there be none, then to the Deputy Commissioners. The appeal order to be final. I introduced the panchayat system in Faridkot State last year and the work is being done fairly well.

Only educational qualifications of candidates for Government Service do not produce truthful and honest workers as a rule. Indian schools and colleges have failed in turning out loyal students and to be trusted straightforward stuff as a rule. It may be that on account of want of religious education the result has been undesirable. Government cannot give religious education as there are so many religions in India. I would, therefore, suggest that new books on "truth and falsehood" and on "honesty and dishonesty" be composed and allowed to be taught in Indian schools and colleges. It may then be that the future turn-out will be hopeful. The test based on higher education should be less regarded than at present. Let candidates for Government Service be selected with regard to sufficient education, family claims, and loyalty to Government. The powers of Deputy Commissioners and Commissioners in granting rewards for good service during plague, famine and other calamities are very limited. I would suggest that the Commissioners might give rewards up to Rs. 200 and Deputy Commissioners up to Rs. 50.

40502. What are your general views as to the relations between the people and the Government; are they susceptible of improvement?—My view is that there has been a lot of improvement under the British rule.

40503. Is there still room for change for the better?—Yes.

40504. In what direction?—In educational matters they are improving much and there is a lot of hope; also in improving the wealth of the country there is much improvement, and it is hoped that there will be much more.

40505. In the Faridkot State have you anything corresponding to local self-government?—No; only that I have started panchayats there.

40506. Did you establish a panchayat in a single village or in a collection of villages?—It is a small State. There was no arrangement previously even of *zaildars*, so I founded *zaildars* to begin with, then I combined *zaildars* into panchayats.

40507. Then you have not a panchayat in each village?—No; I combined two *zaildars* into one panchayat.

40508. How many villages would there be on the average?—One hundred and sixty in the whole State; so I divided it into 14 *zaildars*, and I combined two *zaildars* into one panchayat; I enlisted from 16 to 20 members in one panchayat.

40509. How did you constitute the panchayat?—I nominated the members, all good men, from their circle.

40510. One from each village?—No; sometimes two from each village; I had a *baniya*, or accountant, from a village, and a *zaildar* from the same village; in this way I enlisted all the good men of the circle; I got a quorum of four men who could sit and discharge business. I gave them criminal powers under sections 323 and 352 of the Indian Penal Code, but no powers of imprisonment. I ruled that they were not to pass sentences of imprisonment, only to have power of fining up to Rs. 25. In civil cases I gave them power in money suits up to Rs. 200 value, and in revenue cases also up to Rs. 200. Their work has been very good.

40511. Did you give them any power to spend money on Public Works?—No; I intend doing that after I see that they are working better.

40512. Did you give them any power over education?—Yes. There were no schools in the State, and I asked their help. The control was in my hands. I appointed a *nazim* of education, that is a director or inspector; and then I took help from these panchayats; I have been able to start fifty schools in places where there were none, and they are now helping.

40513. Have you as yet given them any power whatever in other matters?—They have given help in starting schools; they have given me free houses in the villages; they have asked their friends to help. I have said "I want a school *there*, and a school *there*"; they have asked the influential man in the village to give a house free to begin with; they have no money control as yet.

40514. Why did you not establish a panchayat in each particular village; why did you rather have a large body combining several villages together?—I say that I combined them in different villages because there were not enough men in the village, and there was no business for them in each village.

40515. You did not think it would have been successful?—Each village has no business for the panchayat.

40516. It could manage its school?—Once a teacher is appointed and his pay settled, then there is no work; it is only the work of the parents to send their boys to the school.

40517. Is that the only reason?—That is the only reason, and also that there are not so many men in every village.

40518. Not in a good size village of, say, a thousand people?—That would be called a small town; all small towns in the Punjab have either a municipality or a notified area. I am now answering only about the *mufassal* villages.

40519. I understand that this panchayat of yours is a Judicial Court, within certain limits, and that in other matters it advises you and advises the people?—Yes, as a mediator.

40520. But it has no other powers?—It has no other powers as yet, but I am intending to give it powers under the Cattle Trespass Act, and also in educational matters.

40521. Anything else?—No, not yet. I intend to have my own scheme about education, as I have a free hand in the State. I am not going to have all these books that are being taught in our schools in British India; I am going to start a system such as we had in old times—in my own time—just teaching to read and write, and to do little accounts to begin with, and to teach the true meaning of truth and falsehood, honesty and dishonesty.

40522. This is your own scheme that you are going to carry out, not the scheme of the panchayats?—That is so.

40523. (*Sir Steyning Edgerley*.) What exactly is your education scheme to be?—Just as I was sent to school. In my time, in the sixties, boys used to go to the teacher, and he used to teach them to read and write and do small arithmetic.

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40524. That is, purely primary education?—Yes; and I say that primary education is what the *mufassal* villages want. Of course I have a middle school in the Raja's palace at Faridkot, and, if I find any shining boy, he may come as a boarder and live there and get a classical education.

40525. Would you give scholarships or something of that sort to get clever boys on?—Yes.

40526. You suggest a sort of moral text-book; is that a feasible suggestion?—I think so. We have good religious stories illustrating honesty and dishonesty; we have plenty of stories, in books and from mouth to mouth, illustrating truth and falsehood; these can very well be compiled into a little school manual. I am going to do it in my State. I have already given instructions to get a book written on those lines, and I shall put it into our schools; it will not be "religious," but it will be a good thing to be taught.

40527. (*Mr. Meyer.*) What is a canal *zilladar*?—He is the lowest grade officer in whose hands there is the supply of water and also the power of stopping supply.

40528. Is he a bigger man than the *patwari*?—Yes; he has several *patwaris* working under him.

40529. What pay does he get?—About Rs. 80, with horse allowance, and so on; he is the great man in the Canal Department.

40530. You would like the Commissioner to be a bigger man than he is, to appoint *tahsildars*, and to have something to say to the appointment of these canal *zilladars* and deputy superintendents of police?—Yes.

40531. Would you give him a larger power of sanctioning Public Works?—I do not think the Commissioner wants particular powers in the Canal Department; the Canal Department is doing all right. What I meant by putting these officials under the control of the Commissioner was, to get it out of their heads that they have only their canal masters who will help them when their shortcomings are found out, when they are found out doing anything like bribery, and so on. These officers always think that they will be backed up by their officers. My experience is that the Civil authorities, whenever they catch a subordinate of theirs, try to punish him, but the Canal Department and the Police Department, whenever their men are concerned, try to help them, just like the Army people. In the Army, perhaps, they have some right, because they are men going to fight the enemies of the country, and it is a Service in which it is the tradition to back up subordinate officers; but the Canal Department and the Police Department are quite different, and the practice in such matters in those Departments should be rather like that in the Civil Service.

40532. Would you let the Commissioner post Assistant Commissioners and Extra-Assistant Commissioners within his own division?—I do not think there would be any harm. The Commissioner would be just like the Raja of a State (I have now the experience of a Raja's State); the Raja does a thing and the people like it. If the Commissioner were given more powers, his divisions would be like that of a small State; the Commissioner will willingly be recognised as a great man, but he is wanted to work up to his position.

40533. Might not the Commissioner deal with most of the matters relating to District Boards and municipalities?—Yes.

40534. Who appoints *zaildars* now?—The Deputy Commissioner appoints them.

40535. And *lambardars*?—They are appointed by the Deputy Commissioner.

40536. Might not the *tahsildars* or the Sub-Divisional Officers appoint these people?—I think not; the Deputy Commissioner should appoint them.

40537. You want to reduce certain districts because the work is too heavy; might it not be better to have a sub-divisional system, to divide the district into sub-divisions and let an Assistant or Extra-Assistant Commissioner work there, and let the Deputy Commissioner be simply a controlling and inspecting officer?—Yes, as we have now.

40538. You have only one sub-division in a district now: suppose you had all the districts divided into sub-divisions, you would give the Deputy Commissioner

less work to do?—I have not considered it, but I think there ought not to be more than one sub-division. One sub-division has been working well. In one way it is good, because young officers have experience there and have learnt how to do district work; if you had more sub-divisions, the control would still be not good.

40539. Would it not be better for the people if you have one man who is close to them, and would not the *tahsildar* get better looked after?—We cannot manage these two particular districts by starting sub-divisions here. Ferozepore district was made up when there were no settled villages; it was hundreds and hundreds of miles of jungle, and there was no income practically. The *Fazilka tahsil* was only inhabited after the district was made; now the *Fazilka tahsil* gives 3 lakhs canal revenue alone, so that we want another district there. It is about 70 miles from the boundary of the *Sialkot* district to headquarters, and people have to go there.

40540. You say that Commissioners and Deputy Commissioners should have powers delegated to them in Court of Wards cases; have they not much power now?—No; I have been myself in charge of Court of Wards, and there is much delay in getting sanction. I suggest that if these powers are delegated, the work will be facilitated.

40541. Has every little thing to go up to the Financial Commissioner?—Yes, and when the matter goes up for his sanction, except perhaps that as to maintenance allowance, there may be some argument, everything else—matters of improvement, or marriage ceremonies, and so forth—is sanctioned.

40542. By maintenance allowance you mean the amount to be given to the ward for his education or to the widows?—Yes.

40543. You are against Advisory Councils?—I am.

40544. But might not the Deputy Commissioner consult the District Board about these matters?—The Deputy Commissioner, if he has trustworthy men to consult can always consult them; if you put a number of men into a formal Board, there will only be more complications.

40545. But if he has a District Board meeting about District Board matters, he can talk to the members about other matters?—Yes, and that is done now. I am against Advisory Councils, because it would be creating another department, and a lot of indirect recommendations would creep in; I do not think it would work well.

40546. You speak of *panchayats* dealing with revenue produce cases; what are those?—Revenue produce cases are cases between a landlord and a tenant; the tenant does not pay *malikanda* or the landlord's share of the produce, and the landlord brings suit against him for so much produce; those are called revenue produce cases.

40547. Do you think the *panchayat* would hold the scale fairly as between landlords and tenants; might not the members be landlords themselves?—Yes, but there are 20 men in my *panchayat*, and a case belonging to one *panchayat* would go before another *panchayat*.

40548. But one landlord would back up another landlord, or one tenant would back up another tenant?—You might say that all over the world, but it does work. The men in whom we put our trust do their work, and when any glaring mistake comes up there is the remedy.

40549. You have tried that successfully?—When I took up the charge of the Faridkot State there were nine Courts working in that small area. By starting these seven *panchayats*, only two are now working, and my Court hears appeals; the work is very much reduced now.

40550. Do you allow *vakils* to appear before the *panchayats*?—No; neither *vakils* nor the police.

40551. You say appeals go to the Honorary Magistrates?—To the Honorary Magistrates or to the District Magistrate.

40552. But if you allow appeals, do you not rather shake the confidence of the people in the *panchayats*?—No; there ought to be appeals; they perfectly understand that their work stands to be criticised, and they do not mind if their work is sent up on appeal.

40553. Are appeals very popular in this province?—Yes.

40554. It has been suggested to us that each village might be given some share of the land cess that is levied there, for the villagers to spend at their own discretion on wells or anything else?—The District Board is doing that, and it would be only creating work. I am a village man myself; everything in the village is owned by someone; so far as the village collectively has any obligations, there is the *malba*. We do not want any fund to be placed in the hands of the village panchayats to be spent on these works; all other properties are held by somebody.

40555. Is the *malba* levied in every village?—Yes. Saints and *fakirs* pay visits to the villages, and they are fed and even sometimes clothed, and the *malba* is perfectly understood; in fact it is put in the revenue papers, so that there is help from the Government, you may say, to the villages in that way in spending money on some common object.

40556. (*Mr. Dutt.*) You say that all the petty cases are now tried by these panchayats in Faridkot under sections 323 and 352 of Indian Penal Code, and that that has largely reduced the work of the Courts. Are there very many appeals from these panchayats?—No; there are a lot of compromises. I was told by my Treasury Officers that less stamps were being sold year by year.

40557. You think that is a good sign that people compromise their cases and settle their differences?—Yes. Much the same thing is done by the panchayats in these matters as is done in the Military Service. A man comes and says so and so has beaten him; the matter is gone into on the spot there and then, and disposed of in fifteen minutes. Panchayats have reduced the work, and in fact made the work more limited; there are no fights now, because the people think that when they go up to fight a case, they will have to compromise it, so they do not fight.

40558. Do you suggest that this system should also be introduced gradually in British India?—Yes.

40559. You think that in some advanced villages the system is likely to be successful?—Yes.

40560. Would one panchayat be able to do all the work within the *ilaka* of one thana?—Yes. The theory is this; our men go to the Courts, and if they come back the same day, there is nothing lost; they

do not spend anything; they take their food and go to attend the Court and come back in the evening.

40561. Will the members of the panchayat work without any remuneration?—They do it; there has been no complaint during the year-and-half I have been there; four men can decide the work, and they tell off their own four men; on such and such days such and such men will come up; they take their horses and ponies and sit in the place; I have even told them not to use chairs, but to sit down on *charpoyas* and do the work there.

40562. When you have created panchayat in each thana, would you give the panchayats some power to inspect and supervise the village schools within the *ilaka* of the thana?—Yes, gradually. Generally there are 40 to 50 villages in the thana.

40563. Are there less or more than that?—More than that; Fazilka has 300 villages and 3 thanas and one police outpost. You may say about 80 villages in each thana.

40564. Do you think that one panchayat will be able to supervise all the schools in 80 villages?—Yes, because the distance will be quite reasonable; people will go to the village chosen and go back.

40565. Is it the general custom in the Punjab for tenants to pay their landlords in kind, *i.e.*, in produce, or is it the custom to pay in money?—It was the custom to pay in kind, but when the British rule came in, in some districts cash was settled, and it was put upon the rupee, two annas to the rupee, and so on; they now pay in cash and also in kind, but generally the tenants-at-will are paying in kind.

40566. The tenants who pay directly to the Government pay in money?—Yes.

40567. The assessment is made in cash, but I am speaking of those tenants who live in zamindaris?—They pay in kind; we call them tenants-at-will.

40568. Have you not also occupancy tenants under you?—Yes.

40569. Do they pay in kind or in money?—In the state there are cases now in which the tenants want to pay in cash and the landlords ask them to pay in kind.

40570. Do you find the tenants generally want to pay in cash and the landlords want to be paid in kind, because the price of produce has gone up?—Yes.

(*The witness withdrew.*)

Haji Nawab FATEH ALI KHAN, C.I.E., was called and examined (through an interpreter).

40571. (*Sir Frederic Lely.*) What is your occupation?—I own about 6,000 acres of land here and about 20,000 acres of land in Oudh. I live in Lahore.

The income and expenditure of Local Governments is shared between the Government of India and Local Governments. I think it better to let all income and expenditure be provincial, and the debt of Local Governments to the Imperial Government for the Army, defence, &c., should be fixed. Local Governments should then be given greater power to sanction charges.

Giving borrowing powers to Local Governments would disturb the market if several provinces wanted loans simultaneously. I do not advocate any change.

The right of appeal should not be interfered with.

Executive Officers have not sufficient opportunity for personal contact with the people, probably due to heavy work. Deputy Commissioners are Presidents of District Boards and municipalities, and have revenue, judicial, political, treasury and miscellaneous duties.

The Police Department is also under them. Either districts may be made smaller or some work taken away. This would leave more time to mix freely with people and learn the vernacular well also by contact.

Some officers do not possess a sufficient knowledge of vernacular.

Transfers might be less frequent and might be reduced if officers settled in India and took less leave, or might be reduced by increasing the proportion of members of the Provincial Civil Service on the establishment.

I am in favour of advisory Councils.

I am not in favour of placing the supervision and control of smaller municipalities under District Boards.

It is desirable to give village communities greater powers in the disposal of local affairs. The panchayat system should be revived. Law suits would be reduced.

40572. Are you a member of the municipality?—I was a nominated member.

40573. Are you still?—No, I resigned. I have much work myself.

40574. Is the municipality popular in Lahore?—Not very popular.

40575. What is the reason why it is not altogether popular?—I do not believe much in those members who are generally elected; they are not the men of the stamp that there ought to be on the Municipal Committee.

40576. What is the defect in them?—They are uneducated; they do not command the same respect that they ought to have as members of the Municipal Committee.

40577. Is that on account of their want of character or want of social position?—Want of social position generally.

40578. Why is it that men of higher rank are not serving on the municipality, or, rather, men who would command respect?—They do not like to be elected. They would rather like to be nominated.

40579. Why do not they like to be elected?—They have to ask too many persons to back them up for the election, and they think it is derogatory to their position.

40580. Do the nominated members inspire the respect of the community?—Much better; when they are nominated they are generally suitable persons.

*Sardar Bahadur Partab Singh.*  
14 Apr., 1908.

*Haji Nawab Fateh Ali Khan, C.I.E.*  
14 Apr., 1908.

*Haji Nawab  
Fateh Ali  
Khan, C.I.E.*

14 Apr., 1908.

40581. Do you think that the municipality should have more power than it has?—Certainly. They should be made responsible for certain work, and they should be given power to dispose of it independently.

40582. But are not they made responsible for the work they do now?—They are not. There should be less interference on the part of the Chairman and more powers in the hands of the members.

40583. Can you give any instances in which the Chairman has unjustly interfered, and so prevented the municipality from doing its work?—In many cases they have to say "yes" to every proposal of the Deputy Commissioner.

40584. Why have they to say "yes"?—They are not well educated.

40585. Would you like to see some other person than the Deputy Commissioner Chairman?—Yes.

40586. Is there any non-official person in Lahore whom you would like to see President of the municipality?—There were non-official Presidents here before.

40587. Why is the President not non-official any longer?—My own uncle was President of the Municipal Committee; I cannot tell the reason why there have been no non-officials afterwards.

40588. Did he resign?—Yes; his time was up, and he resigned; he did not want to be re-elected.

40589. Why did he not want to be re-elected?—On account of the press of work.

40590. (*Mr. Hichens.*) You say that elected members of the municipality are not very desirable, and yet you want to give them more work and more responsibility?—If selected; if there were a form of selection, they would be useful obviously.

40591. Should they abandon the principle of election and go back to nomination?—No; I think there should be election as well as nomination.

40592. Would you maintain the present situation?—Yes.

40593. How would you improve the present state of affairs which you say is bad?—They are every year getting better, and things will improve of their own accord.

40594. Is it wise to give them further powers until they are more educated in regard to these matters?—If they are made more responsible, they will work better; they do not work well now, because they do not consider themselves responsible.

40595. Would you like to give more powers to District Boards too?—Yes.

40596. Would you give them a non-official Chairman?—A non-official Chairman would be better.

40597. Could you find men who had time to take up the work?—Yes; there are a lot who could find time.

40598. Have you ever heard any complaints as to the financial restrictions imposed on municipalities?—Yes; there are complaints about financial restrictions.

40599. Have you any suggestions to make as to that matter?—No.

40600. (*Mr. Dutt.*) You do not recommend that borrowing powers should be given to Local Governments?—No; I think the power should be in the hands of the Government of India and not of the Local Governments; if borrowing powers are given to Local Governments, they will be overfree in expenditure, and they will not be able to borrow on good terms.

40601. You have also said that the right of appeal should not be interfered with; what are your reasons for that?—Because the right of appeal is considered by the people as a blessing, and the people consider that that blessing should not be taken away from them; if they fail in one Court they may possibly get benefit in another.

40602. Then you say that you are in favour of Advisory Councils; what are your reasons for that?—I think Advisory Councils would be very useful, because at times they would be of some help to the Deputy Commissioner. I do not think that Advisory Councils should have any powers, but that they should simply give advice, and their opinions should be put forward.

40603. You heard the opinion of the last witness as to the creation of village panchayats, or a panchayat within each thana for the disposal of simple cases; do you agree with him?—Yes.

40604. Would it be of great benefit to the country?—Yes.

40605. Would you like to have one such panchayat in every thana, or would you like to have a panchayat for a group of 5 or 10 villages?—It would be better to have a panchayat for a group of 5 or 10 villages.

40606. Would you give them small civil and criminal powers?—Yes; the system has been in force with us for a long time, and it is a good thing to have petty cases settled in the village itself.

40607. Have you any other suggestions to make for delegating powers to the people?—The panchayat system is enough; I have no further suggestions to make.

40608. Besides the disposal of petty cases, would you gradually entrust panchayats with the management of local affairs in villages?—The system is already in force.

40609. Who would select the members of these panchayats, the villagers themselves, or the Deputy Commissioner or the tahsildar?—The members of the panchayats should be selected by the Deputy Commissioner in my opinion.

40610. Should he take the opinions of the villagers in making the selection?—Yes.

(*The witness withdrew.*)

Khan Bahadur MUHAMMAD SHAFI was called and examined.

*Khan  
Bahadur  
Muhammad  
Shafi.*

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40611. (*Sir Frederic Lely.*) Are you a native of Lahore?—I belong to a village about 5 miles out of Lahore. I reside in Lahore at present, and practice as a Barrister in the Chief Court.

40612. Do you wish to put before us certain views on behalf of the All-India Muslim League?—Yes.

The principles underlying the enactment of the law relating to the Court of Wards have the hearty support of the Muhammadan community. The extension of the scope and powers of the Courts of Wards embodied in the Punjab Court of Wards Act (No. II of 1903) as compared with the provisions contained in the Punjab Laws Act (No. IV of 1872) constituted a change in the right direction. But while section 6 of the new Act empowers the Courts of Wards, of its own motion, to assume the superintendence of property of certain persons in the cases specified therein, in all other cases it rests with the Local Government alone to make an order directing that the property of a landholder be placed under the superintendence of the Court of Wards. The Local Government is thus burdened with an amount of work which, at least in the majority of cases, it may well be relieved of.

Moreover, a reference by the Deputy Commissioner to the Commissioner, by the latter to the Financial Commissioner, and by him again to the Local Government, involves an amount of delay which is often calculated to defeat the very object for which this most salutary enactment is intended. In cases where the Financial Commissioner agrees with the recommendations of the Deputy Commissioner and Commissioner in this respect, it should be open to him to place the property of a landholder under the superintendence of the Court of Wards without any reference to the Local Government, such reference being necessary only in cases where the Financial Commissioner disagrees with the proposals made by the local authorities.

Again sections 11 and 12 of the Punjab Court of Wards Act empower the Deputy Commissioner in certain cases, specified therein, to take the estate of a landholder, with respect to whom he proposes to move the Local Government or the Court of Wards, as the case may be, to take action under section 5 or section 6 of the Act into his own custody and to pass certain orders specified in the said sections. But according to section 13 (1) the property of such landholder becomes



vested in the Court of Wards only upon the publication of a notification under section 9, and it is after the publication of such notification that the law makes it incumbent upon a creditor or other claimant to give notice to, and implead, the Court of Wards as a defendant in a suit against the person whose estate has been placed under the management of the Court. Now, between the date of an order by the Deputy Commissioner under section 11 and of the date of taking of possession by him under that section and section 12, and the date of the final decision by the Local Government and the issue of a notification under section 9, very often a long time must elapse. The result is that a creditor, such as a mortgagee of a portion of the estate, coming to hear of the intended step, may launch a suit against the landowner personally without making the Deputy Commissioner or the Court of Wards party to the suit, may rush the case through or get an *ex-parte* decree, and obtain a decision in his favour before the notification under section 9 is actually issued. Meanwhile, the property has been taken possession of by the Deputy Commissioner, and as the Act does not make it necessary that a notice of action must, in such cases, be given to the Deputy Commissioner, or that he be made a defendant in the suit, the obvious result is that a decree is obtained behind his back to the prejudice both of the landholder and the Court of Wards in cases where the Local Government finally decides to take the estate under the protection of that Court. Such a case has actually occurred and was heard on appeal by the Punjab Chief Court some eight months ago. The Deputy Commissioner should, therefore, be empowered, in such cases, to give notice of his having taken charge of the estate of a landholder to the Court of the District Judge and require stay of proceedings in any suit which may have been instituted before, or might be instituted after, he assumes charge of such estate, pending the issue of a notification under section 9. This extension of power herein seems to me to be essential for the realisation of the object which the Act has in view.

I am not in favour of curtailing the right of appeal to the Local Government in the cases contemplated in these questions. Under the existing political and other conditions it is advisable, in the interests of the general public as well as of the subordinate branches of the Service, that the right of appeal to the Head of the Government, which has hitherto worked satisfactorily, should not be taken away from those who may have cause to feel aggrieved with the action of any Government official. The very existence of such a right is calculated not only to create a sense of security in the minds of those who value it so highly, but is also likely to prevent the frequent occurrence of causes of complaint, and to check arbitrary or high-handed acts on the part of the officers under the Local Government. Nor do I consider it desirable to lay down that no such appeal should be admitted unless accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist.

Under the existing conditions European Executive Officers do not get sufficient opportunities of personal contact with the people, and, in consequence, are not in possession of that knowledge of the feelings and the customs of, and other conditions of, life prevailing amongst the various Indian communities, which is essential for a sound administration of the affairs of this country. The obstacles in the way of the acquisition of such knowledge may be summed up as follows. Absence of social intercourse between the Executive Officer and even the leading Indian gentlemen, resulting in want of touch between those who ought to be better acquainted with each other than is unfortunately the case at present. The existence of this social gulf between the rulers and the ruled is often productive of heart-burning and mental irritation which, in the interests of Government, it ought to be the duty of all Executive Officers to avoid. The prevailing notion that social intercourse between the two classes is detrimental to the prestige of Executive Officers is entirely erroneous, and has given rise to a state of comparative isolation which is highly injurious to the best interests of both the Government and the people. Greater opportunities of intercourse between the official and non-official classes will not only help to remove many of the existing misunderstandings, but will be found to be an effective remedy for a great deal of the dissatisfaction which unfortunately does exist amongst

certain sections of the Indian population. Moreover, this social gulf between the Executive Officer and even the leaders of the people placed in his charge stands in the way of his acquiring knowledge of the customs, the social and religious usages, and the feelings of the people.

Experience has shown that the Executive Officer does not, in the majority of cases, possess that knowledge of the vernacular language which is absolutely essential for the satisfactory discharge by him of the duties attached to his responsible office. The majority of the people under his charge are uneducated and innocent of any knowledge of the English language—a state of things which is bound to continue for years to come, and the Executive Officer must, in consequence, be well conversant with the vernacular language. This will not only enable him to obtain first-hand all that he ought to know, but will enhance his prestige in the eyes of the masses. A Deputy Commissioner who knows the language of the people and is able to talk to them direct, and not through some subordinate ministerial officer, is sure to get at the root of things, and is bound to be popular amongst the people over whom he rules.

Young and inexperienced Civilians—sometimes of not more than three years' standing—have not infrequently been placed in charge of districts. Entertaining peculiar ideas of the dignity of their position and being ignorant of the language, the feelings, the customs and manners of the people, their treatment even of the better class of Indian gentlemen, both official and non-official, is often extremely objectionable and leads to consequences seriously affecting the popularity of the British rule in India.

The constant transfer of Executive Officers from district to district is another cause which not only prevents the acquisition by them of a thorough knowledge of the people of the district they may be in charge of, but often has a most injurious effect on the efficient and satisfactory working of the administrative machinery. The circumstances of Indian society being somewhat complicated, it takes a little time for the District Officer to make himself well acquainted with the local conditions, and by the time he acquires an insight into these conditions, and is thus in a position to administer the affairs of his district satisfactorily, orders are issued for his transfer to another place, resulting in serious injury to the cause of sound administration.

The District Officer is burdened with multifarious duties which occupy most of his time and leave him little leisure to acquaint himself with the social and other conditions prevailing amongst the people and to cultivate personal relations with even the leading Indian gentlemen in his district.

The following are some of the means which may be adopted in order to remove the obstacles mentioned above:—All European Executive Officers should be required to possess a knowledge of the vernacular sufficient at least to enable them to carry on ordinary conversation, and no officer should be placed in charge of a district unless he has passed a vernacular examination of a fairly high standard.

No officer should be placed in the executive charge of a district or a sub-division without having first gone through a regular settlement training. Officers taking active part in settlement operations have opportunities of coming into close contact with the agricultural population, of making themselves thoroughly acquainted with their customs and manners of studying their feelings, and of cultivating personal relations with them which those who have not done any settlement work cannot obtain.

The Executive Officer should be relieved of purely judicial work in order to enable him to devote more time and attention towards the cultivation of personal relations with the people in his charge, and to study their feelings, customs, and manners. He should be made to understand that this is an essential and integral part of the duties connected with the responsible position which he occupies.

Civilians of less than seven years' standing should not be placed in charge of at least the more important districts, and instructions should be issued to all District Officers to be careful in their treatment of the educated and the more respectable portion of the Indian communities.

Another remedy is the establishment of District Advisory Councils.

Khan  
Bahadur  
Muhammad  
Shahj.  
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Khan  
Bahadur  
Muhammad  
Shafi.

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The grant of larger powers to Commissioners, Collectors and other local authorities will undoubtedly necessitate greater care in their selection. The automatic promotion of members of the Indian Civil and Provincial Services to offices of responsibility merely on the ground of seniority, regardless of their knowledge of the people, tact and administrative ability, is, even under the existing circumstances, often productive of injury to the cause of good government, and less regard will have to be paid to mere length of service if the officers mentioned under this head are to be invested with enhanced powers.

In the absence of special circumstances, an officer posted to a district should not be transferred therefrom for a reasonable period, and in cases where he has given proofs of ability and efficiency in the discharge of his duties, and has made himself popular with the people, he should be left in charge of that district as long as possible. Whenever short leave is granted to an Executive Officer, things should be so arranged as to avoid the necessity of filling up the temporary vacancy by bringing out an officer from another district.

I am of opinion that, under the present circumstances, it would not be advisable to invest municipalities, District and Local Boards with powers larger than those already enjoyed by them under the existing law. As regards this province, it may safely be laid down that the time has not yet arrived when a forward step can be taken in this direction, the existing system having hardly passed the experimental stage. Local self-government in the Punjab has, hitherto, not proved an unqualified success, and the contests for seats on the municipalities and District Boards of this province have not, in the majority of cases, attracted the better class of educated and respectable Indian gentlemen.

But the system of promiscuous election as at present in vogue almost all over the country is one which absolutely fails to make these bodies thoroughly representative of the various communities having a material stake in the affairs of the country. This is particularly true of the Muhammadan community. Experience has shown that wherever the system of election is not based on the principle of class representation, Muhammadans have failed to secure their due share of representation on these bodies, and the number of their representatives on the municipalities, District and Local Boards is entirely disproportionate to their numerical strength and political importance. Nay, instances are not wanting where Muhammadans, in spite of constituting a fairly large portion of the population of a town, have failed to secure even a single seat on the local municipality. The instance of Poona has already been cited at Bombay. To take another example from a different part of the country. The Muhammadan residents of Mathra form about  $\frac{1}{4}$ th of the total population of that town. Yet since the introduction of the elective system three years ago, not a single Muhammadan has ever succeeded in securing a seat in the elections for the local Municipal Committee. On the other hand, of the 12 elected members of the municipality, five are Dhosars, a community which, according to my information, consists of about one hundred persons only. Before the introduction of the system of election the Government used to nominate three Indian members on the Committee, one of whom used to be a representative of the Muhammadan community of Mathra. In the Punjab the system of communal representation has been introduced in Lahore, Ambala, Hoshiarpur, and in certain other towns, and is working most satisfactorily. A definite number of seats on these Committees is set apart for each of the two communities, and the Hindu and Muhammadan electors vote for their own representatives. Not only are the two communities thus adequately represented on these bodies, but the adoption of this system has resulted in the removal of all friction between them which often arises in cases of mixed elections. In other municipalities, however, where this system has not yet been adopted, the Muhammadan community, in spite of its constituting 53·3 per cent. of the entire population of this province, has invariably failed to secure that representation to which it is equitably entitled.

One more reason in support of this reform may conveniently be mentioned. The privilege of electing a representative on the provincial Legislative Councils

has already been conceded to these bodies in some of the Indian provinces, and there is some likelihood of its being extended to other provinces as well. And as it is absolutely essential for the cause of good government, as well as just and proper, that the Muhammadan community should be adequately represented on the Legislative Councils of the country, it follows that unless the Muhammadans are given their fair share of seats on the Municipal and District Boards they will fail to secure on the Legislative Councils that measure of representation to which they are undoubtedly entitled.

Another aspect of this question is worthy of attention. Not only would the general adoption of the system prevailing in the Punjab towns named above secure due representation of the two communities on these Local Bodies, but it would also help to reduce a fair share of the burden which now falls on the shoulders of the higher authorities. Due representation of the various communities being, in this manner, secured, their interests would be properly safeguarded within these Committees, and, in consequence, the number of appeals and petitions to the higher authorities would be appreciably reduced, leaving them time to attend to more important work.

For the reasons given I am of opinion that the time has not yet arrived when the functions of the municipalities, District and Local Boards can be suitably extended.

The establishment of District Advisory Councils would, in my opinion, be a step in the right direction. If properly constituted, these Councils would prove a source of immense benefit to the proper administration of district affairs. The functions of the Council would, of course, be purely advisory and consultative, and the liberty of action of the District Officer would in no way be hampered or curtailed. But he would, through the medium of these Councils, keep himself fully acquainted with local circumstances, as well as with the views and the feelings of the people as regards any administrative measure which may be contemplated. Moreover, the District Officer will be in a position to make use of this agency for the purpose of removing any misapprehensions that might exist in the minds of the people with regard to the intentions and motives of Government in connection with a proposed administrative or other reform. These Councils should be so constituted as to be thoroughly representative not only of all the dominant agricultural and other interests, but of the various communities as well. Thus constituted, the Councils may be consulted by the District Officer in questions relating to sanitation, education, police arrangements, plague measures and other matters concerning the general administration of the district.

I am strongly opposed to the grant in this province of powers to the District Boards of supervision over the smaller municipalities.

The time has arrived when a system of village panchayats may be introduced for the regulation and administration of purely village affairs. But the experiment needs considerable caution and will have to be closely watched. The members of the panchayat should be *nominated* by the responsible officer from amongst the various communities inhabiting the village, and all the local interests should be properly represented. Thus constituted, the panchayat may be invested with power of disposal of local affairs relating to the collection and distribution of village dues and cesses, police, sanitation and education, &c. Moreover, in view of the fact that petty civil suits, as at present fought out in courts, involve an amount of trouble and expenditure out of all proportion to their value, and that existing system is one of the causes of the indebtedness which prevails amongst the lower strata of the agricultural classes, village panchayats should be invested with power to decide all simple money claims not exceeding Rs. 50 in value, and their decisions should be considered final. As things stand at present, I am not at all in favour of investing the village panchayats with any criminal jurisdiction whatsoever.

As representative of the Muslim League, I would invite attention to one of the main grievances of the Musalmans of India relating to the conditions at present prevailing in the various departments of British Indian administration. The Muhammadan

community is not in possession of that share of appointments in the British Indian Service to which it is by reason of its numerical strength and political importance fairly entitled. Even in those provinces where Muhammadans constitute the majority of the population, the greater number of appointments are held by non-Muslim communities. From the highest to the lowest posts in the Judicial Department, in all the grades of the executive branch of the administration, in the Police, Railway, Irrigation, Educational, Postal and other Departments of Government Service, and even on the clerical staff of these departments, the Muhammadan community is so poorly represented, and the situation thus created is full of such grave complications and difficulties, that the sooner the necessary steps are taken to make an equitable adjustment in this respect the better it will be both for the Government and the country. Not only does the existing condition of affairs, in which one of the largest and the most influential minorities in the country has practically gone to the wall, so far as a share in the official administration of the affairs of the country is concerned, constitute a grave political problem, requiring an early solution and settlement, but the practical exclusion of Muhammadans from some departments, and their deprivation of a due share of appointments in others, is detrimental to the smooth and satisfactory working of the administrative machinery itself. This is one of the causes of the higher authorities being burdened with more work than need fall on their shoulders, for the want of proper representation of various important interests in the departments of Government Service must often give rise to complaints, complications and unsatisfactory situations which the higher authorities have to enquire into. On administrative as well as political grounds, therefore, it is absolutely essential that this most unsatisfactory state of things should be put an end to, and the Muhammadan community be awarded a share in the British Indian Services proportionate to its numerical strength and political importance.

40613. At present the Financial Commissioner is the Court of Wards. Do you approve of that or not?—Under the old law as it existed before Act II of 1903, the Deputy Commissioner was the Court of Wards subject to the control of the Commissioner and the Financial Commissioner. I would propose that it should be half-and-half, and would make the Commissioner the Court of Wards for each division.

40614. And allow him to delegate large powers to the Deputy Commissioner?—Yes.

40615. Have you personally any knowledge of the working of the Court of Wards?—I have appeared as counsel on behalf of the Court of Wards in some cases, and I have appeared as counsel against the Court of Wards in others.

40616. Have you gained thereby any knowledge of the working of the Court of Wards?—I have a little.

40617. Is the institution generally popular in the country?—Certainly.

40618. Are the efforts of Government to save important estates appreciated?—Certainly.

40619. Should the Commissioner have the initial power?—I think so.

40620. And should all the details of management be entrusted to the Deputy Commissioner?—Yes.

40621. You have nothing to do personally with the municipality?—No.

40622. As a citizen and a rate-payer, are you satisfied with the management of the municipality?—I am afraid I am not. The defects are mostly centred in the *personnel* of the members of the Municipal Committee.

40623. Do you mean that the right people are not elected?—Yes.

40624. Are the right people nominated?—Sometimes, not always.

40625. With regard to nominated members, what is your objection to the nominations?—Sometimes nominations are made purely with reference to the social position of the person without sufficient regard to his personal qualifications, but in other cases the nominations are perfectly good.

40626. Still even those people who are selected for their social position are men who command a certain amount of respect?—No doubt.

40627. What class do the elected members generally come from?—More than one-half of them are almost illiterate.

40628. How do they manage to get into the municipality?—All sorts of trickeries go on in election times in order to win votes; the voters do not realise their responsibility, and in consequence these people succeed in getting seats.

40629. What remedy would you suggest?—There ought to be, so far as the members of municipalities are concerned, some educational qualification laid down for the elected members.

40630. Then if a man honestly wanted to vote for a candidate who did not come up to your standard, would you say, "I cannot allow you to return this man because I do not think he is fit"?—Of course there are towns which are not so advanced as Lahore, but even in those towns it would be advisable to get educated members on municipalities, because they would understand their responsibilities better and discharge the functions attached to their office better; but in a town advanced like Lahore, where people are educated, an educational test would be useful.

40631. Have municipalities enough power?—I think so; I would not increase their power at all.

40632. (*Mr. Meyer.*) You refer to a system of class election which has already been introduced into Lahore and other places—how has that worked?—Very satisfactory.

40633. How long has that system been in force?—In some places it has been in force 12 years, and so far back as 1892 it has been in existence in Lahore. In Ambala it has been in existence four years and more.

40634. Do the people like it in Lahore?—Yes.

40635. Nevertheless, it does not prevent them from electing what you consider unsatisfactory people?—That is a different matter. From the point of view of the educated portion of the community I have reason to be dissatisfied with the class of men, but the communities are satisfied with their own respective representatives.

40636. Are any members of the District Board elected?—So far as I am aware, not now. I believe some years ago there were about one-half of the members elected, but I have not seen any election for the District Board for years past.

40637. Is it actually necessary that the Local Government should sanction every case in which property is taken up by the Court of Wards?—No.

40638. But is that done now-a-days?—Yes. There are two sections; section 6, empowering the Financial Commissioner on his own authority to take charge of the property of wards in certain cases, and in all other cases the matter must go to the Government of India. Section 6 relates to minors and lunatics, and the Financial Commissioner has the power on his own authority to take charge of the property of those people.

40639. And the other cases mean embarrassed estates?—Yes.

40640. I understand you are opposed to the curtailment of any right of appeal for Government servants as well as everybody else?—I am.

40641. Are you aware that in other provinces a man who is drawing less than Rs. 50 has not a second appeal beyond the Head of the Department?—I was not aware of that personally; but in spite of that I should say, in the Punjab, the right of appeal should not be curtailed.

40642. Are the people in the Punjab specially contentious and very fond of appealing?—I cannot say they are very fond of appealing, but they like to fight things out so far as safeguarding their interests and rights is concerned.

40643. Do you know much about the system of district administration?—I have been at the Bar now very nearly sixteen years, and I think I know something about district administration generally.

40644. Are you in favour of an extension of the sub-divisional system?—I should say in those districts

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where there are more than three *tahsils* there would be no harm in introducing a sub-divisional system, but in districts where there are three or a less number of *tahsils* there is not the slightest necessity for it at all.

40645. Do you mean that with a district of three or less *tahsils* is small, and that the people can go to headquarters?—Yes.

40646. Is it necessary for a Deputy Commissioner, as District Magistrate, to hear all criminal appeals?—In the majority of districts that is the case, but in some districts where the work is very heavy appellate powers have been given to additional District Magistrates to hear appeals from orders of Magistrates of the second class.

40647. In Bombay and Madras, for instance, the Sub-Divisional Magistrate has appellate powers; would you be in favour of that here?—I should say that if care was taken in the selection of Sub-Divisional Magistrates there would be no harm in giving them power to hear appeals against orders of *tahsildars* and *naib-tahsildars*.

40648. Have you had much experience of village life, and can you say how factions would militate against your panchayat proposals?—My own idea is that factions prevail much less in villages than in towns, and I think in the villages the panchayat system would work smoothly on the whole.

40649. You say that they might deal with civil suits below Rs. 50. Would you allow *vakils* to appear before them?—No.

40650. Would you allow appeals against their decisions?—No.

40651. Might they have power to deal with petty criminal cases?—No; my experience is that it would be dangerous to invest them with criminal powers in the Punjab.

40652. But are not some of the criminal charges of a very petty nature?—That is so, but there is no tyranny like the petty tyranny of a *lambardar* in a village, and if you were to invest them with criminal powers it would be only the *lambardar* and his nominees who would get into the panchayats, which would probably bring about a state of things which would be hardly satisfactory.

40653. You speak of the grievance of your community with regard to Government appointments, but do you not get a fair share in this province?—Certainly not. The Muhammadan population is 53·3 per cent. of the total population, and the share of appointments which have fallen to the Muhammadans is very much less than that proportion.

40654. (*Sir Steyning Edgerley.*) Does your evidence contain your own views or does it contain the views which you are instructed to put before us by the Muslim League?—I think you will find that it contains the views of the majority of the school to which I belong.

40655. Has it been actually before them?—Yes, and some of the views embodied in it were discussed at the League meeting held on the 18th and 19th March last at Aligarh.

40656. Can you tell us which those matters were?—All matters relating to the claims of the Muhammadan community, the question of representation on Legislative Councils and in the departments of the Service, and so on.

40657. Suppose Government take up an estate which they cannot clear and have to relinquish it, have you ever heard any complaints against the Government for having failed to clear it?—No; and I actually know of two instances which did happen at Multan, but I have not heard any complaints against Government; in these cases the estates were so heavily encumbered that the Government could not do anything with them.

40658. And it was recognised by public opinion that they were practically hopeless?—I think so.

40659. Would you say in such circumstances that the failure on the part of the Government became a matter of obloquy.—No.

40660. (*Mr. Dutt.*) You say, "In the Punjab the system of communal representation has been introduced into Lahore, Ambala, Hoshiarpur and in certain other towns, and is working most satisfactorily." Was that by any Act of legislation or by an executive order?—By rules framed under the Act.

40661. At present you say in Lahore the representation on the municipality is on this communal system. What is the proportion of the Muhammadan population in Lahore?—I think it is just a little over one-half; it is about equal.

40662. And do the rules lay down that one-half of the members shall be Mussalmans?—Yes.

40663. Are the elections held separately?—Yes; and the proportion is eight Muhammadans, eight Hindus and four Christians.

40664. Those are the elected members, and then the Government have power to nominate the other members?—Yes.

40665. Does a similar system prevail in other districts under the rules?—Yes.

40666. Do you lay it down as a maxim that the number of appointments held under the Government should always be in proportion to the population?—Yes; as far as possible.

40667. Does that relate to high appointments or to all classes of appointments?—To all classes of appointments.

40668. Where you find a particular sect or community, like the Parsis for instance, holding a larger number of appointments than would be justified by their proportion to the total population, would you gradually reduce that proportion?—Yes; if competent men from the other communities were forthcoming.

40669. You would make no allowance then for a higher standard of education or a lower standard of education in a community?—Of course a certain allowance has to be made, but there is a limit to that allowance, and there are other considerations which have to be kept in view.

40670. Is it your opinion that appointments should be according to the extent of the population, modified by the extent of education?—Yes.

40671. You are in favour of the establishment of Advisory Councils for every district. What is your reason?—I think the Deputy Commissioner would then be in a position to consult the leaders of the Indian communities, and in that manner would get to know the feelings and opinions of the people with reference to any measure that was in contemplation, and, on the other hand, in reference to any measure that was in contemplation if there was any misunderstanding as to the motives and intentions of the Government, the Advisory Council would be a very effective medium for dispelling it.

40672. And if any section of the people had any representation to make, would you allow them to make it in a meeting of the Council?—Yes; I have pointed out that the Council should be merely advisory, and that the opinions of its members would not be binding on the Collector, but still I think they ought to have a chance of expressing their opinions.

40673. With regard to village panchayats, you have said that you would give them some civil powers, but no criminal powers at present; would you also allow them to manage the village schools, and generally to look after their own villages?—Yes.

40674. Would you have one panchayat in every village, or would you group a number of villages together?—I think every large village of sufficient size should have a panchayat of its own, but in the case of small villages I would group several of them together.

40675. And you do not think the different factions would prevent the success of such an experiment?—No; I am hopeful that the experiment will ultimately prove successful.

(*The witness withdrew.*)

Adjourned.

## SIXTY-NINTH DAY.

LAHORE, *Wednesday, the 15th April, 1908.*

PRESENT :

Sir FREDERIC LELY, K.C.I.E., C.S.I., *Presiding.*Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.  
R. C. DUTT, Esq., C.I.E.W. S. MEYER, Esq., C.I.E., I.C.S.  
W. L. HICHENS, Esq.

Diwan NARENDRA NATH, M.A., was called and examined.

40676. (*Sir Frederic Lely.*) You are a Deputy Commissioner?—Yes, I am a Statutory Civilian. I have had twenty years' service. I began as Assistant Commissioner; my experience as a Deputy Commissioner begins from 1895. Before that I was an Assistant Commissioner or a District Judge.

Rules framed under Acts having special application to the Punjab, such as the (1) Land Revenue Act, (2) Tenancy Act, (3) Municipal Act, (4) District Boards Act, (5) Punjab Laws Act, (6) Punjab Courts Act, need not require the sanction of Government of India.

Certain administrative actions done under these Acts, now requiring the sanction of the Government of India, need not be subjected to that sanction. I would suggest changes in the following:—(1) Section 49 of the Land Revenue Act: (2) section 39 (c) of the Punjab Laws Act: (3) sections 51 and 55 (1-b) of the District Boards Act; (4) section 182 (1) of the Municipal Act. I think that a special amending legislation to effect decentralization may be passed, incorporating all these changes. References to the Government of India under sections 2, 15, 17, 18 and 31 of the Criminal Tribes Act also appear to me to be unnecessary.

Appeals both in administrative and personal questions are not numerous, and I would not curtail the right. I cannot think of any case in which such right of appeal has been abused.

In addition to sums to be placed at the disposal of Commissioners and of some Deputy Commissioners for entertaining Indian gentlemen, I would place some funds at the disposal of Commissioners, out of which they may be authorized to grant rewards for good work done by officials or non-officials. The sum at present allotted to each Deputy Commissioner for rewards in connection with good work done for police may be increased, and may be made to cover work in other departments too.

The influence of the Commissioners in Departments other than Land Revenue is very weak, and adequate weight is not given to their views.

Executive Officers have sufficient opportunities for personal contact, and many of them have a very good knowledge of the people and of the vernaculars. No royal road can be suggested for acquiring acquaintance with the people. All depends on the personal idiosyncrasies of the officer. I would, however, suggest the grant of sumptuary allowances to Commissioners and the Deputy Commissioners of some important towns, which they may be required to spend in entertaining the notables of their respective jurisdictions, not merely in *darbars*, but in *conversations*.

The clerical and the menial staff needs to be strengthened everywhere.

Commissionerships are already given by selection and not by seniority. I do not suggest such extensive delegation of authority to Collectors as would necessitate any marked deviations from the existing mode of appointing them.

As regards the functions of municipalities and District Boards, I am unable to propose any material changes, but the suggestions about treating district funds as Excluded Local Funds, and not making it obligatory on District Boards to spend all their balances on plague and famine, will make these bodies independent to some extent.

As regards Municipal Committees, if it were possible to relieve them of the contributions for the police, executive interference would be lessened. The election by unanimous vote of the President should not require

the sanction of the Commissioner or Local Government. In the case of second-class municipalities, this validity may be given even to election by an overwhelming majority.

At headquarters of divisions, and in important districts, Advisory Councils may be appointed, by nomination, with the object of associating in the work of Government men who do not care to be appointed *zaildars*, members of the Municipal Committee, or District Board. I would use these Councils for the purpose of disseminating amongst the people correct information about administrative questions. I would also ascertain through them the views of the people on matters relating to administration.

In selected villages where competent men are forthcoming I would have panchayats—(1) for the disposal of the petty civil cases, the decision of the panchayats not being final; (ii) for village sanction, and (iii) for the supervision of bad characters, giving information to the police about their movements, now very inadequately done by *lambardars*, and for exercising proper control over the village watch and ward. In matters (ii) and (iii) I would empower these panchayats to impose petty fines, which may go to a fund to be utilized on objects mentioned under (ii). I would also empower the panchayats to look after religious or other charitable institutions to which *muafis* and *jagirs* are attached. The entrusting of the disposal of petty civil cases must be tried only as experiment. The panchayat system has been worked to advantage in some Native States.

I consider all schemes for decentralization to be incomplete if steps are not taken to bring into greater relief the benevolent character of the absolute systems of Government that must prevail in India. I advocate the grant of enhanced powers to the head of the Local Government in the way of granting life *jagirs* and of land in proprietary rights on the perennial canals. But inasmuch as Crown lands are limited and larger powers of grant proposed in respect of them would soon exhaust them, I would set apart areas in districts irrigated by canals for the purpose of grants for a fixed term varying from 20 to 10 years, and bringing to the grantee an annual income of Rs. 4,000 to Rs. 5,000. I would give these lands to deserving men who have rendered useful honorary work. The first grantee who reclaims the waste may be given a lease for the maximum period, and the subsequent grantee a lease for a shorter time. The lands to be lightly assessed and a sufficient supply of water to be maintained for them.

40677. As Deputy Commissioner how many Assistants have you?—I have at present, including the District Judge or Extra Judicial Assistant Commissioner, four. The number varies with the districts. It depends on the amount of work.

40678. But take your own district that you have at present?—I have a District Judge, a Treasury Officer, a Revenue Assistant, and an officer for purely judicial work.

40679. Is the District Judge your subordinate?—As a Magistrate he is.

40680. What is the Revenue Assistant?—He is a general assistant for revenue work.

40681. Is your district divided into *tahsils*?—Yes. There are three *tahsils* in the whole district.

40682. Is there an officer in charge of each *tahsil*?—No; there is no one over the *tahsildar*, not at the

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*tahsil* headquarters, but we have thanas; they generally go according to the *tahsil*; there is no officer, even at headquarters, in charge of the *tahsil*.

40683. Do all these four assistants of yours live at headquarters?—Yes.

40684. Is their work allotted to them territorially or by the subjects?—By subjects.

40685. What would be the average area of each *tahsil*?—I cannot give you that; the area of the district is about 1,800 square miles. They are nearly of equal size; 600 square miles perhaps for each *tahsil*, you may say.

40686. Is the 1st class magisterial work of the district done by the District Judge?—Yes, with the Extra-Assistant Commissioners.

40687. Including the Treasury Officer?—Yes, and they also do civil work.

40688. Do they take up the cases that you allot to them, or does each man take up the cases for a special area?—So far as the criminal work is concerned, thanas are assigned to each Magistrate. If I am at headquarters I send the cases over; if I am not at headquarters they take them themselves.

40689. Then there is no need for you to take any action at all in the matter, is there, even if you are at headquarters?—At times there is. For instance, there are certain cases that must be put before me. According to executive orders given by me and my predecessors all cases against previous convicts and all cases against *lambardars* or village officials must come before me, and I must decide to whom they are to go.

40690. That is so far as regards the criminal work. Then does the Revenue Assistant take all the revenue work?—He does the whole of the revenue work.

40691. It is not the case here, as in some parts of India, that each assistant is responsible for a certain area and exercises in it powers similar to those of the Collector?—No, that is not the case in the Punjab.

40692. Would it not be a good thing to make each man responsible for a certain area?—I do not think so.

40693. Would it not stimulate him to better work?—I do not see how it would; it would be dividing responsibility unnecessarily.

40694. Do you recognize any duty regarding primary schools?—Yes; I visit them.

40695. Do any of your assistants visit them?—The *tahsildars* do and the Revenue Assistant does; the others do not go out in camp.

40696. The only man who is concerned with the general administration of the district besides yourself is your Revenue Assistant?—That is so, except that he has nothing to do with the District Board or the municipalities. I myself deal with them.

40697. What is the population of your district?—About 7 lakhs.

40698. Are you able to keep a hand on the whole of a district of that size?—Quite, and even a bigger size.

40699. For how many months in the year is the Revenue Assistant expected to travel?—Under recent orders he is supposed to travel seven months in the year. In some districts where civil work is very heavy the District Judge is not given any criminal work, and therefore he is a Magistrate only nominally; he does not do any criminal work; but in his executive capacity he is subordinate to the Deputy Commissioner. The Deputy Commissioner may call upon him to do any administrative work of importance.

40700. Who hears appeals from his magisterial decisions?—The Sessions Judge; he is a 1st class Magistrate.

40701. Is the District Judge distinct from the Sessions Judge?—Yes. The District Judge means what the Subordinate Judge means in the United Provinces, and in what are called the Regulation Provinces.

40702. Has the Sessions Judge jurisdiction over more than one district?—Yes; generally over two or, at times, one. The District Judge is the Court of Special Original Jurisdiction. Besides that, he has also the executive control of the Judicial Department. He is different from what is generally known as a Subordinate Judge in the Regulation Provinces, in that he has

control for one thing over the judicial *amla*, the judicial staff, the *muharrirs*, the clerk of Court, the *nasir*, the *naib nasir* and men of that sort. I believe that Subordinate Judges in the Regulation Provinces have not got certain powers under certain Acts which belong to the principal Court of Original Jurisdiction; for instance, under Regulation XVII, and things of that sort.

40703. As I understand, the District Judge is judicially subordinate to the Sessions Judge, and in his executive capacity he is subordinate to you?—Yes.

40704. Have you many forests in your districts?—I have a few.

40705. Are you directly responsible for the management of the forests?—For the management of three or four of them. The rest are under the Forest Department; and those under the Forest Department are also indirectly under me.

40706. What is your relation to the Forest Officer; is he your subordinate in any sense?—In this sense, that all the annual leases of forest produce are conducted under my supervision.

40707. For instance, have you a potent word as to the terms on which grazing is given to the people?—Yes.

40708. Have you enough control over the forests?—I do not think I have enough control. Where the technical points come in I have to accept the advice of the district forest officer, but where the requirements of the agriculturists and the zamindars are concerned my voice is heard.

40709. Have you full control in all matters relating to the people?—Yes, unless they clash with technical matters. Then of course I have nothing to say.

40710. The case does not go on to the Commissioner?—No.

40711. Do you mean that in case of a difference of opinion the forest officer's opinion prevails?—I should think it would, where he has certain technical objections to raise. No conflict has arisen, and I imagine that even a Commissioner would not interfere in matters in which the forest officer gave his opinion as an expert.

40712. But a question might arise affecting the interests of the people and the forest officer might have technical objections to them—sound objections so far as they go—but still it does not follow that those objections should not be overruled in the interests of the people.

40713. Who decides whether they should be overruled or not?—No such conflict has arisen within my experience, but I should think the matter would have to be referred to Government.

40714. (*Mr. Dutt.*) You have told us that your Revenue Assistant does all the revenue cases, and that your other Assistants do both civil and criminal cases. So far as their civil work is concerned are they under you or under the Judge?—They are under the Judge.

40715. (*Mr. Meyer.*) Do you mean under the Divisional Judge *quâ* Civil Judge?—They are under the District Judge in certain matters, and they are under the Divisional Judge in certain other matters. There are some cases in which the appeals would go to the District Judge, and there are other cases in which appeals would go to the Divisional Judge. The power to transfer cases from one Court to another vests in the District Judge primarily.

40716. (*Mr. Dutt.*) The District Judge himself, so far as the civil cases are concerned, is under the Sessions Judge?—Yes.

40717. Is there one Sessions Judge in one Commissioner's division?—No, there may be more.

40718. There is not a Sessions Judge in each district?—No.

40719. Does this arrangement work well?—I think it does.

40720. There is no friction because your Assistants are partly your Assistants and partly Assistants of the Civil Judge?—I have had no experience of any conflict; of course it all depends upon the officers; if they want to smoothe matters and work harmoniously, they can do so under the most difficult circumstances.

40721. Is not this arrangement rather difficult?—In some districts disputes have arisen about civil work.



For instance, about ten years ago the Divisional Judges were anxious to give civil work to Revenue Assistants, and the Revenue Officers wanted to save them from civil work; the matter had to go up to Government, and they decided that the Revenue Assistants should not do civil work. If a Sessions Judge insists, I have to refer him to those orders of Government.

40722. You have told us that rules framed under certain Acts should not require the sanction of the Government of India, and in those Acts you include the Land Revenue Act, the Tenancy Act, the Municipal Act and the Districts Boards Act. Are not the rules framed under the Land Revenue Act very important?—They are.

40723. And the rules framed under the Tenancy Act are very important; they affect the welfare of large classes of the agricultural population?—Yes.

40724. Therefore is there not some reason for requiring the sanction of the Government of India?—No; the sanction is a purely formal business, and the matter is purely provincial.

40725. But suppose the provincial Government take certain views with regard to the relations of the tenants with their landlords which might not be in keeping with the general policy pursued in the Empire. Ought not the Government of India to have something to say in that matter?—I do not think so.

40726. Similarly with regard to the Municipal Act and the District Boards Act?—No; even those are purely local matters.

40727. Do you sometimes find in provincial Governments an inclination, or a tendency, to minimize the actual powers of these local bodies; take the power of the District Boards as regards education or Public Works?—The policy of the Local Government for a long time has been sympathetic. I entered the service in 1888, and all this legislation dates from a few years before. In the last 20 years I do not think the attitude of the Local Government towards local self-government has been other than sympathetic.

40728. Take the question of primary education, which has been delegated to the District Boards; do you find that there is a tendency in the Local Government to give the Education Department a large degree of control over the primary schools?—That tendency is noticeable; but it is not due to any want of sympathy. There is specialization in every department, and, just as Excise or Land Records and Agriculture and all these Departments are being specialized, in the same way the Education Department is being specialized. That tendency towards specialization is, I believe, encouraged by the Imperial Government rather than by the Local Government.

40729. If the Imperial Government think that primary education should be more directly in the hands of the District Board, should they not have a voice in revising the rules framed under the District Boards Act by the provincial Government?—When the Imperial Government say that more voices should be given to local bodies in matters of primary education, the Local Government will revise the rules in that light.

40730. You think that general instructions from the Imperial Government will be quite enough, and that the rules need not be sent to them for revision or alterations?—I think so.

40731. You say "Special amending legislation affecting decentralization may be passed incorporating all these changes." Is it your idea that when some legal powers have to be delegated by the Local Government to subordinate officers that delegation should take place by amending Acts, and not by Gazette notifications under a general Act of delegation?—My idea was that instead of amending all these Acts it would be better to pass one Act. Probably notification will not serve the purpose; it seems to me that mere notification will not do, because these are amendments of sections themselves.

40732. You think that, when certain powers which are vested in the Local Government have to be delegated to Commissioners or Collectors or subordinate officers, that delegation ought to take place by amending Acts or by an amending Act, the powers being shown in a schedule?—Yes. There may be certain delegations of authority which may need only

notification or perhaps mere executive orders; but so far as these matters are concerned, I think the Act would have to be remodelled, and instead of remodelling all the various Acts, it would be better to pass one Act embodying all the amendments required.

40733. Are tahsildars and Extra-Assistant Commissioners generally taken now from the Ministerial Service, or are they appointed direct upon their educational qualifications?—In both ways.

40734. Are the majority taken from the Ministerial Service or appointed direct?—I think you may say half and half; I am speaking of Extra-Assistant Commissioners.

40735. Do you find any difference so far as integrity and honesty are concerned between the men who are selected from the Ministerial Service and those who are appointed direct?—Those men who have come in by competition are distinctly superior in integrity, honesty and ability in every way.

40736. So you are in favour of that system?—Certainly.

40737. In order to raise the standard of that Service, would you like more men to be appointed in that way?—Yes, but I would not discourage men who have rendered long and meritorious service in the lower ranks; I would not keep them off altogether from promotion; the present proportion, half and half, is a very fair one.

40738. (*Mr. Hichens.*) How many municipalities are there in your district?—Four.

40739. Are you Chairman of them all?—No; I am Chairman only of the one at headquarters.

40740. Who are Chairmen of the others?—Non-officials.

40741. Is that usual in the province?—It is generally the case with regard to outlying municipalities.

40742. Do you find any difficulty in getting men to take up the post of Chairman?—They are very anxious to get the post; they consider it a great honour. Those that are on the municipalities are doing the work fairly well, but there are not a large number of competent men to draw from.

40743. Speaking generally, do they do the work satisfactorily?—Fairly satisfactorily. They do the work better than an official would do who does not live there and has to go to outlying stations in order to hold meetings; whenever that arrangement is resorted to, it is worse. It is better to have a man on the spot responsible for the Committee and President of the Committee; he does the work better than an official would do who has to go once in three months to hold meetings.

40744. Is there any objection to extending that principle to headquarters?—If you find good men, I do not see any objection.

40745. Are you not more likely to find good men at the headquarters town than in the outlying districts?—Yes, there is a greater probability, but at the same time you want a more competent and a more influential man to control the municipality at headquarters than to control outlying municipalities.

40746. What roughly is the population of the headquarters municipality?—19,000.

40747. Their income would be roughly what?—Including house-tax, which was specially imposed to meet a drainage scheme, it is about Rs. 30,000.

40748. Is much of that ear-marked for special purposes by order of the Government?—No.

40749. You have a free hand in the distribution of it?—Quite free; Government has not tied us down to any special expenditure. Of course, we have to make our contributions to the police.

40750. What does that amount to?—About Rs. 4,000.

40751. (*Sir Steyning Edgerley.*) Has that not been abolished?—I have heard that it is going to be abolished; it is on the *tapis*, but it is not done yet.

40752. (*Mr. Hichens.*) Then the Government do not compel you to spend a certain proportion of your income on primary education?—They do; a minimum percentage is fixed for education and medical.

40753. So that you are not altogether free?—Not in that way; subject to those limitations we are.

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40754. Is it desirable that a municipality should be free to spend their own money as they please?—No ; it is better to lay down rules for general guidance in that way. Possibly a municipality may spend too much money on, say, increase of establishment,—keeping up more establishment than is necessary, or giving more salaries to its officials than is necessary, or things of that sort. It is always good for a Local Government to lay down certain general principles of guidance.

40755. Is the percentage uniform for all the towns?—Yes.

40756. Would you allow the Government of India to lay down similar principles in regard to provincial Governments for the same reason?—There is not the same necessity; the Local Government is less likely to go wrong; there is not the same necessity as there is in the case of municipalities.

40757. On the other hand, the money in the case of the municipality is perhaps even more clearly local?—Yes; it is their own money.

40758. But you think it is not desirable to allow them to spend it as they like?—Not without some guiding principle.

40759. Does the same principle apply to the District Board, that a considerable percentage is deducted for various purposes?—Yes, but the money for primary education is spent by the District Board itself.

40760. What are the proportions?—Medical is 18½, education 12½; that is with regard to the District Board; I believe it is the same proportion with regard to municipalities.

40761. Is there any fixed percentage ear-marked for anything else?—No, except when special grants are made.

40762. Does the Government deduct 20 per cent. of the income of the Board for services rendered out of the local rates?—I think it does.

40763. So that at least 40 per cent. of the District Board is ear-marked?—Yes.

40764. Is that sound?—I do not see any unsoundness in it.

40765. What is the 20 per cent. that goes to the Government for?—I believe this is for the help given by the officers of the Imperial Government. For instance, there is the Civil Surgeon, the Deputy Commissioner, the Public Works Officer, and so on; they all give help to the District Board, and it seems to be only fair that the Imperial Government should be re-imbursed for that. The Deputy Commissioner gets his pay from the Imperial Government, and he gives his services to the local body; either he gives his advice, or he personally presides over the meetings and guides the whole show. Then there is the Civil Surgeon who guides the Medical Department, and there are the Public Works Officers. It is only fair that the Imperial Government should get a proportion from all the local bodies for that assistance.

40766. (Mr. Meyer.) You spoke of having a Treasury Officer; is he kept on treasury work always or can you change him?—I can change, but it is not desirable to change.

40767. In other places they have what they call a Treasury Deputy Collector and he is practically kept to treasury work; do you have that here?—That is the case here too. The Deputy Commissioner is authorised to change if he finds it necessary to do so in the interests of the work of the administration, but it is not desirable to change.

40768. Is the Treasury Officer generally an Extra-Assistant Commissioner?—Yes.

40769. Who takes the criminal appeals in the district?—From Second or Third Class Magistrates, I take them.

40770. Who represents you at headquarters when you are absent on tour?—If the District Judge is at headquarters, he represents me as senior officer; if he is not there, then the senior Extra-Assistant Commissioner.

40771. Suppose you had an Assistant Commissioner there?—If he was an experienced officer, not under

training and had first class powers, I believe he would be considered the senior officer.

40772. But is it left to your discretion, when you leave the station, to say that A, B, C, or D, according to your choice, shall be your *locum tenens*?—There are no standing orders interfering with my discretion, but it is generally understood that the senior officer present ought to be the man to represent the Deputy Commissioner.

40773. How do you discriminate between, say, a junior Assistant Commissioner and a senior Extra Assistant Commissioner?—I have not had occasion, but if the senior Assistant Commissioner is a First Class Magistrate, and is not purely under training, I should consider him to be the senior officer.

40774. You speak of these officers doing civil work, but have you not got full-time District Munsifs?—Yes.

40775. Then is it necessary for your Extra-Assistant Commissioners to do civil work?—It is; as a matter of fact, under the standing orders of the Chief Court, land cases are generally taken up by the Extra-Assistant Commissioner.

40776. You mean land cases under the Civil Procedure Code, not under special Acts?—No.

40777. It is said that the existing staff are overburdened with work, and have not sufficient time to know the real needs of the district and to mix with the people. Could you not relieve the executive staff by disassociating them from civil suits and giving those over to full-time Judicial Officers?—I think I would.

40778. Do your tahsildars do civil work?—Yes; about 30 cases a month.

40779. Do the *naiibs* do any civil work?—No. They do criminal work.

40780. What are they generally?—Third Class Magistrates.

40781. Is a *naiib* generally at the *tahsil* headquarters or at some outlying station?—He is stationed at headquarters, but he goes out in camp.

40782. Does the tahsildar do the same?—Yes. In some districts the *naiib-tahsildar* is stationed outside, but these are very few.

40783. As regards these specific sections of certain Acts which you refer to, section 49 of the Land Revenue Act, section 39 (c) of the Punjab Land Act, sections 51 and 55 of the District Boards Act, and section 182 of the Municipal Act, what, roughly, are they all about?—I do not remember without referring to the book.

40784. You spoke of the progress of specialization, and the necessity for different departments, but is it not desirable also that there should be some authority to co-ordinate all these departments, and see that they work for the common good and do not carry technical matters too far at the expense of the general administration?—There is that authority, and that authority is the Local Government.

40785. Would you go lower? It has been suggested by one very eminent authority that co-ordination should begin in a district with a Deputy Commissioner, and that all outside departments should be under his control?—I think the specialization of departments has gone too far to admit of that change.

40786. Would you go a step higher, and give the Commissioner general co-ordinating powers?—It might be given, but I am not very clear about it, for the reason that with regard to certain departments, the Commissioner has got to carry on only correspondence; he has not got officers present by him to advise him. For instance, taking land records; if centralization were to be effected with regard to the Commissioner, then who is the man on the spot to advise the Commissioner with regard to matters relating to land records? He has only to decide matters by correspondence, and that is why I am doubtful. It would necessitate having some one on the spot at headquarters who could advise him.

40787. You mean you would require a Divisional Land Record Officer?—Yes.

40788. But apart from any such objection as that, would you be in favour of the Commissioner having the threads of administration in his hands?—Yes; that would be a better arrangement so far as I can see at present, it would be fair.

40789. You say the panchayat system has been worked to advantage in some of the Native States; in which of them?—The Patiala State.

40790. Have you any knowledge of the way in which it is worked in Patiala?—I have no personal knowledge, but I have read a report by Major Popham Young on the subject.

40791. What powers have those panchayats got?—They decide petty civil cases, and they decide land cases too, and their decisions are not final.

40792. Are they village panchayats or *zail* panchayats?—I believe they are village panchayats.

40793. Would it be your idea to have village panchayats with petty local case-power, but subject to appeal to a higher authority?—I would give an option to the parties of taking their cases before regular tribunals.

40794. If you gave that option, would the village panchayat be able to work; would not all the parties want to go to the regular tribunal?—The report as to the Patiala State shows that they do not all go, and I suggest that a similar experiment might be tried here. I am not quite sure what the result would be, but, judging from what that report says, it is an experiment worth a trial.

40795. Would you go further, and give the village panchayat power to look after village schools and local sanitation in the village, and possibly the police?—Yes; I am strongly in favour of giving them powers with regard to sanitation, but not with regard to schools, because I think village panchayats in all cases would not be competent enough to look after schools.

40796. Would they be competent enough to look after *chaukidars*?—Yes.

40797. Would you allow *wakils* to appear in cases heard before the panchayats?—No.

40798. (*Sir Steyning Edgerley*.) Have you full authority over the Police Superintendent?—Yes, except in purely departmental matters.

40799. Is there any provision in the Police Act of the province giving you actual authority over the Police Superintendent?—The Police Act says that the District Magistrate is the Head of the Police.

40800. So far as using the force goes, can you do fairly well as you like?—Yes.

40801. But you do not touch the details?—No.

40802. With regard to grants of land, is your suggestion that you should make a grant for life and then take the land away and give it to somebody else?—I would give it for a certain number of years rather than for life.

40803. And then take it away or charge the full assessment?—I would take it away.

40804. Would you compensate for improvements or anything of that sort?—No; my idea is that the first grantee who has to make any necessary improvements may be assessed very lightly, and that light assessment may compensate him for any improvements he makes. After that the assessment may be increased, but not up to the highest pitch.

40805. For what length of time would you make these grants?—Twenty years.

40806. When the 20 years was at an end, would there not be a great deal of discontent at the eviction of the holder?—There would be, but there is no other remedy; the land is limited, and if the people are made

to understand from the outset that the term is only for 20 years, they would gladly reconcile themselves to the idea.

40807. Has the pay of all your establishments been raised, making the minimum now Rs. 20?—Yes, of the clerical establishment.

40808. But the other district salaries to patwaris, and so on, are low?—Yes.

40809. Is the pay sufficient for a patwari?—I do not think it is sufficient.

40810. Ought they to have the benefit of the Rs. 20 minimum?—I should think so.

40811. Would that be sufficient for their work?—I think it would be, living as they do in villages.

40812. Has there been a great rise in prices in the Punjab in the last 20 years?—Yes.

40813. So that pay is relatively lower than it was 20 years ago?—Yes, it is.

40814. With regard to the Delegation Act, have you studied the question at all?—I have said what I could say on the subject.

40815. You have not looked into the question of a general Delegation Act as against specific legislation?—My idea was that to amend each and every Act would be inconvenient.

40816. But have you studied Act V of 1868 to see how it works?—No, I have not.

40817. You say there are certain minima for expenditure laid down for the municipalities. As a rule do you spend more than those minima?—We do spend more, but sometimes less; for instance, at present our District Board is spending more on education. In the municipalities we spend sometimes less and sometimes more.

40818. Are you at liberty to spend less?—Objection is raised if we spend less. The department has a right to demand expenditure up to the limit.

40819. But if you give a moderate explanation, does it pass?—I suppose it would.

40820. Has it the kind of effect that the municipality gradually says: "This is the amount we have to spend; we need not spend any more." Do the municipality take it as a maximum as well as a minimum?—Yes, there is that tendency.

40821. And from that point of view, it may do harm?—From that point of view it may, but there is the other point of view, that the other departments would suffer, and there would be greater harm in that way.

40822. The money which the municipalities spend is after all not raised by subscription, but by powers of taxation given by the provincial Government?—Yes.

40823. And therefore you can only call it "their own" money in a very modified sense?—Yes.

40824. It is really money raised under powers, for the giving of which the Local Government is responsible?—Yes.

40825. What are your relations with the Executive Engineer?—Certain estimates beyond a certain limit go to him for scrutiny.

40826. Have you any irrigation in your district?—No.

40827. Have you a full-time Engineer in the district, or do you only share one?—I only share.

40828. Can you send him orders?—Yes; I can send an estimate to him to check and report upon.

40829. But if you want a work done, can you say, "please take up this work at once," if the funds are there? Does he do your local work?—He helps me. With regard to provincial work, I cannot do that, because he funds the funds and the supervision; of course I can always complain if anything is badly done. I cannot direct at all.

40830. Is that a very satisfactory position?—I have not had any difficulty.

(*The witness withdrew.*)

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40831. (Sir Frederic Lely.) You are a member of the Indian Civil Service?—Yes. I was officiating Commissioner of the Multan division until a week ago; I am now in transit to Jullundur.

I would not give Local Governments borrowing powers, but they might be permitted to guarantee loans raised in the market by Municipal Committees and District Boards, if by such guarantee these bodies could secure a lower rate of interest than they would otherwise be compelled to pay.

Instead of providing, as so many Acts do,\* that rules made by the Local Government must obtain the previous sanction of the Governor-General in Council, or that rules shall be made by or powers exercised by the Governor-General in Council which might advantageously be made or exercised by the Local Governments, it would be more convenient to have a section in the General Clauses Act, similar to sections 107 of the Punjab Tenancy Act and 156 of the Punjab Land Revenue Act, to the effect that the power to make rules is subject to the control of the Governor-General in Council, with an addendum to the same effect as regards the exercise of powers.

There is a very distinct tendency in the Secretariats, imperial and provincial, to snub reform suggestions emanating from below. A reform proposal has little chance of being adopted unless a Secretariat Officer or the Head of the Administration takes it up and makes it a child of his own. Provincial Governments are responsible for reforms in matters which they are empowered to dispose of. All other proposed innovations must be referred to the Imperial Secretariat. Whether it be the Provincial or the Imperial Government that gets the credit for the reform, it will often be found that the initiative is referable to a much more humble source. As to the second part of the question, provincial Governments are, as it is, allowed a very wide latitude in developing their administration on their own lines,—witness the Punjab Land Alienation Act, the Colonization Schemes, the Minor Canals Act, Punjab Customary Law, the Frontier Crimes Regulation, and the distinctive features of the Punjab Land Revenue and Tenancy Acts and rules. I do not think that there is much reason for complaint in this province of failure on the part of the Government of India to recognise the need for differential development where such need exists. It is only right that uniformity should be observed in matters which are not affected by local peculiarities, *e.g.*, the Criminal Procedure, Contract, Evidence, and other such Acts of general application. The Civil Account Code and Civil Service Regulations may also be cited. There is no demand for differential local development in matters relating to coinage, the post office and telegraphs. Where uniformity is possible there is a presumption that it is desirable.

Under the Punjab Laws Act, 1872, the Deputy Commissioner was the Court of Wards. We should revert to that arrangement which was in force and worked well for 31 years. The legislation which five years ago substituted the Financial Commissioner for the Deputy Commissioner as Court of Wards, was thrust upon the Local Government by the Government of India. If this reform be carried out, the principle will be that the Deputy Commissioner is empowered to do everything that is not covered by rules or orders limiting his powers.

I would give Commissioners and Collectors greater financial powers, (a) by making budget allotments for specified heads of expenditure and reserve budget grants for unforeseen contingencies; (b) by extending the present contract system and providing that grants shall not lapse at the end of the year; (c) by delegating powers of sanction under the Civil Service Regulations and Civil Account Code.

\* *Vide* Section 50 A, Punjab Laws Act, 1872.  
Section 77, Indian Forest Act, 1878.  
Section 155 (3), Punjab Land Revenue Act, 1887.  
Sections 77 and 79, Registration Act, 1877.  
Section 26, Forest Act, 1877.  
Section 11 (2) (a), District Boards Act, 1883.  
Act XXXI of 1871 regarding weights and measures.  
Section 39 (e), Police Act, 1871.  
Section 10, Act XX of 1876.

The following classes of appeals to the Commissioner against the orders of Collectors should be disallowed:—Orders transferring officials; orders declining to promote officials; orders declining to appoint candidates or removing names from list of candidates; orders suspending *lambarbars* for not more than six months; orders transferring, suspending or dismissing village *chaukidars*; orders dismissing *chaprassis* and other officials in inferior service; orders suspending for not more than three months officials whose pay does not exceed Rs. 20; and orders requiring the retirement of officials who have reached the age of 55.

The extent to which the Heads of Departments, such as Public Works, Education and Medical, are able to assert their departmental views depends upon the personal equation both as regards the Head of the Department and the Lieutenant-Governor. There have been a few exceptions, but on the whole I do not think Civil Officers have any reason to complain that the departments are too strong for them. There are some standing orders that require revision. I have served under six Lieutenant-Governors, and I do not think that it can be said that the rule of any of them was impersonal. I can quite conceive that the rule of a Governor or Lieutenant-Governor "in Council" would be impersonal. The Local Government is not dominated by considerations of revenue. John Lawrence perhaps was, when he confiscated *jagirs* wholesale, but I doubt if any of his successors have followed in his footsteps. On the contrary, I can call to mind two instances in which the Government of India, rightly, in my opinion, had to call the Local Government to account for sacrificing revenue.

I have generally found that the officers of other departments, including the Heads of Departments, welcome criticism from the Commissioner and desire to enlist the sympathy and interest of Civil Officers in their work, provided that they have no reason to apprehend infringement of their departmental prerogatives. In the case of a difference of opinion it ought to be a rule that a Head of a Department shall not overrule a Commissioner without a reference to the Local Government. The Chief Engineers, the Director of Public Instruction, and the Inspector-General of Police also occupy the position of Secretaries or Under-Secretaries to Government, and the Head of the Medical Department has also direct access to the Lieutenant-Governor. A Commissioner is never quite sure whether overruling orders have emanated from the Lieutenant-Governor or from the Departmental Head. I have had occasion to address a letter to a Chief Engineer as Secretary appealing against his own orders to the Lieutenant-Governor. The position of the Legal Remembrancer is much too strong. I have sent up many cases in which an appeal against an acquittal was recommended by the District Magistrate and supported by myself not without careful consideration. But never in my experience has it happened that such a recommendation has been accepted. Invariably the reply is that the Legal Remembrancer does not recommend that an appeal be instituted, and when I have applied for a copy of the Legal Remembrancer's opinion in order to ascertain the principles followed in such cases, I have been told that his opinion is confidential. But there is one general indictment which most Civil Officers would be prepared to press against the departments, *viz.*, lack of sympathy with the people. When a Collector knows that a canal *zilladar* or *patwari* is notorious for bribery and extortion, or when, owing to faulty distribution of water, he sees the most promising crops withering before his eyes, he may call the attention of the Executive Engineer to the matter, but he cannot take any further action or ensure redress. The position of the Commissioner in this respect is no better than that of the Collector. The departmental officers are not, like Civil Officers, trained to investigate complaints, and depend too much on the reports of their subordinates. In a division like Multan, where the canal administration, if regard be had to the material welfare of the people, is more important than the civil administration, it is impossible for a Commissioner not to feel strongly about this matter.

It is the fashion to complain that the District Officer is tied to his desk and has no time to get into

touch with the people. I do not believe it. My experience was that the more work I had to do the more I was brought into contact with the people of the district. In trying criminal and revenue cases, in attending District Board and municipal meetings, in appointing *zaildars*, *inamdars*, and village headmen, in inspection work of all kind which necessitates visits to the interior of the district, in hearing petitions and inquiring into them, and in consulting local opinion whenever Government invites the District Officer to submit his views on some contemplated measure of reform—in all these incidents of the Deputy Commissioner's daily routine he is brought into direct contact with the people of his district under circumstances which lay bare to his view their motives and their actions, their difficulties and their aspirations. Report writing is generally blamed as imposing an undue tax on an officer's time. It is a tax if a report has to be written without materials, if bricks have to be made without straw. But it is now generally accepted that if an officer has nothing to say, he should say nothing. The officer who has something to say and knows his subject will feel a pleasure in saying it.

As to language, frequent transfers militate against picking up particular dialects, but the majority of Civil Officers inevitably acquire a good working knowledge of the vernacular.

Greater care is required in the selection of the higher Executive Officers, but any change of policy in this respect should be accompanied by the concession of salary rates equal to those enjoyed by the corresponding officers in the Regulation Provinces, more especially as in the Punjab the range of duties of Revenue Officers is wider, work is harder and expenses of living have increased in a greater ratio than elsewhere.

Owing to the increase in the strength of the Punjab Commission transfers are not so frequent as they used to be. I do not believe that there are any unnecessary transfers. The chief cause of transfers is the taking of leave. If officers could be induced to allow longer intervals to intervene between their leave absences, transfers would be reduced. The Lieutenant-Governor might be empowered to sanction special monthly allowances for each month after three years during which an officer serves on in his district without taking leave. These allowances might be confined to the less favoured districts.

The Punjab Municipal Act is about to be amended, and the question of granting further powers to local bodies will, I think, be adequately dealt with by the local Legislative Council. There are now, I believe, no Local Boards in the province.

The provisions of section 29 of the District Boards Act and articles 811 and 814 of the Civil Service Regulations applying the regulations to Service under Local Funds entail frequent references to Government to remove audit objections. The Commissioner should take the place of Government in such cases. The Commissioner should also have power to pass final orders on the claims of the departments to increase grants from the District Fund. Some schemes should be devised which will prevent the bankruptcy of District Funds by reason of the charges for famine and plague being thrown upon them.

I am not in favour of *standing* Advisory Councils. I am in favour of occasionally consulting bodies of individuals of particular classes in reference to matters affecting their own interests or in regard to which they possess a special knowledge. For instance, I have recently instructed the Deputy Commissioner of Jhang to consult a Council of the Muhammadan notables of his district in regard to a proposed scheme of marriage registration for Muhammadans. In the Jullundur district I assembled a Council of *Darbari Jat* *lambardars* to concert measures for the suppression of female infanticide, which is rife in their villages. The *Ambala jagirdars* assembled in Council would be able to give excellent advice in Court of Wards matters, or in regard to the much disputed question of commutation of *jagir* shares. In the Ferozepore district the Grey Canals are, I believe, managed in consultation with a Council of principal irrigators. In all such cases a standing Council consisting of pleaders or other educated Indians, *Sardars* and *Rais* and similar prominent men of the district would contain a majority of members without either knowledge of, or interest in, the subject under consideration. I give below a fairly exhaustive list of

the subjects with which the administration of a Collector is concerned. I omit criminal and police matters, in regard to which no one would presumably suggest that the advice of a Council is necessary. I also omit the District Board and municipal branches of administration for which Councils have already been constituted by Law.

*Assessment of Land Revenue.*—Fluctuating assessments. Alluvion and diluvion.

*Collection of Land Revenue.*—Remissions and suspensions. Coercive processes. Continuance and resumption of revenue assignments.

*Registration of titles.*—Village records. Registration Act. Partition.

*Tenancy Act.*

*Charge of Government property.*—Leases of land. *Nazul* property. Forests and waste lands. Buildings (existing and new). Roads. Mines and quarries. Treasure trove. Government litigation. Treasury. Stamps.

*Collector's office and establishments.*—Appointment and control of establishments in all branches. Leave, pensions, travelling allowance, transfers, suspension and dismissal, promotion. Contingencies. Stores and stationery. Books and maps. Library. Record-room. Grant of copies. Tentis.

*Statistics.*—Arrangements for collection. Reports and returns. Crop forecasts.

*Rewards.*—*Jagirs* and succession thereto. *Darbar* privileges. Pensions. Titles. Grants of lands. Other rewards.

*Village officers and servants.*—*Zaildars*, *inamdars*, *lambardars* and watchmen. Their appointment, control, suspension and dismissal.

*Assistance to agriculturists.*—Takavi. Agricultural Banks. Introduction of new staples and agricultural experiments.

*Work done for Military Department.*—Supplies and carriage for troops. Prices current. Verification of recruits. Compensation for damage by camps. Deserters. Correspondence.

*Court of Wards.*

*Minor Canals Administration.*

*Excise and Opium.*

*Arms, Explosives and Petroleum Acts.*

*Land Alienation Act.*

*Plague and Famine.*

*Miscellaneous.*—Land Acquisition. Factories. Budgets. Colonization. Transport Animals Registration. Trade. Execution of decrees of Civil Courts.

I am unable to name any of the above subjects upon which a standing Council could with advantage be consulted. Plague perhaps is an exception, but the District Board, the Municipal Committee and the *zaildars* would be the most useful advisers. I am entirely in favour of consulting individuals with special knowledge or special interests. This is generally done.

It would not be expedient to invest District Boards with powers of supervision and control over the smaller municipalities.

I am decidedly opposed to investing village communities with powers which would involve in ultimate resort the calling-in of the official to enforce criminal penalties or to carry out civil distress.

The most crying evil in our administrative system is the corrupt subordinate official. Whichever way we turn we are brought up face to face with him. The verdict of the Police Commission on his character and conduct is set forth in a passage of their report which deserves the study of everyone concerned with the problems of Indian administration. The Colonization Commission has been deluged with evidence of the misdeeds of the species which flourishes under the aegis of the Irrigation Department. His cousin in the Forest Department is well versed in the arts of blackmail. The railway goods clerk, when wagons are scarce, as is perennially the case in export districts, enjoys a position of wealth and affluence. We see these harpies and parasites growing rich, investing in lands and houses and wives, and spending on a marriage or betrothal ceremony more than a year's salary. Their reputation is notorious. And yet we can do nothing. The Penal Code is full of pains and penalties. They are no more efficacious than the moral precepts at the head of a copy-book. Inquiries and trials sometimes do take place. For days and days the time of public officials is taken up with the recording of evidence. As often as not justice is defeated. Bribe-giving witnesses fear to confess their own share

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in the corruption, and tremble for the vengeance of the accused should he escape. Clever and unscrupulous pleaders, stimulated by handsome fees which the profits of corruption can well afford, devote their abilities to the perversion of truth and the manufacture of falsehood. The standard of proof exacted by the highest Court in the province is exceptionally stringent. All these conditions combine to render the successful prosecution of these miscreants a task of such difficulty that overburdened officers may well be excused for shrinking from it, and for preferring to tolerate what they cannot prevent. But why should we have to submit to this evil? No mercantile firm would retain for a single day an employé whose acts and methods were bringing loss and discredit on the business. The Police Commission recommended that a power should be given to dismiss such black sheep on the evidence of general reputation for corruption. But the Government of India would have none of it. Theoretically it is right that a man should be presumed to be innocent until he is proved to be guilty. Let the theory by all means hold sway in the Criminal Courts, but do not extend its application so as to saddle ourselves with the odium of perpetuating corruption and extortion by retaining in our service the bribe-taker and the extortioner. Loss of pension need not evoke pity on behalf of one whose illicit accumulations suffice to compensate for many pensions. In doubtful cases retirement on a proportional or reduced pension would offer a reasonable solution. The difficulty of getting rid of the notoriously inefficient official who has not qualified for pension also formed the subject of a representation made by the Police Commission, but in this case the Government of India did not assume a wholly *non possumus* attitude. A promise was made that the matter would be considered. We await the redemption of that promise.

40832. You mention that the salary rates in the Punjab are not equal to those enjoyed by corresponding officers in the Regulation Provinces. What are the chief differences to which you refer?—There is only one officer in the United Provinces who is getting Rs. 1,500 a month, and the lowest grade is Rs. 1,800, whereas the lowest grade in the Punjab is Rs. 1,500.

40833. Are the majority of Deputy Commissioners only drawing Rs. 1,500?—There are three grades of Deputy Commissioners, first, second and third, and the largest number is in the third grade, that is to say, more than in either the second or first.

40834. Do not Deputy Commissioners get only Rs. 1,500 in Oudh?—I asked the Secretariat for a return, and they only showed one in the United Provinces who got Rs. 1,500. Our rate of Rs. 1,800 corresponds to their Rs. 1,833, and Commissioners here get Rs. 2,750 as compared with Rs. 2,916.

40835. Except the Financial Commissioner?—The Financial Commissioner is never called a Commissioner; he is not like a Settlement Commissioner; a Financial Commissioner is often spoken of as the Board of Revenue.

40836. What do your Assistant Commissioners get?—They get Rs. 500, Rs. 700 and Rs. 900.

40837. With reference to the Civil Service Regulations as applied to District Boards, would you advocate a special and simplified code for District Board purposes?—Yes, because the tendency of Audit Officers is to apply the Civil Service Regulations as far as possible, and again and again we have to go up to Government to get their sanction because of some action which seems to the Audit Officer to contravene the regulations.

40838. And the special provisions of the Government regulations are not necessary?—They are not. The Government has begun to delegate powers to the Commissioners to sanction for local bodies what, under the code, requires the sanction of Government in the case of Government officers.

40839. But would not the most complete and simple method of treating the difficulty be to frame a simple code for the guidance of District Boards?—Yes, I think so.

40840. You remark that the Commissioner should have power to pass final orders on the claims of departments to increased grants from the district

funds, but is that not a right of the District Board itself?—The rule about percentages is this: certain percentages have been laid down as what are called enforceable minima; they are not enforced unless a dispute arises, and even then they are not always enforced, but they are regarded as a sort of counsel of perfection.

40841. You refer to the claims of departments to increased grants; if a department requires more money, would it not be fair to leave it to the District Board to determine whether it should get it or not?—The District Board almost invariably resists these claims of a department, and it becomes a question of a dispute between the District Board and the department; what I advocate is that instead of going to Government the Commissioner should decide.

40842. Would you not still further prefer to leave it to the Board; if their authority is to be anything more than a name, surely they should have the power to say whether they will give so much to education and so much to something else?—Yes, but it very often happens that a school goes to ruin for the sake of a grant, and a District Board does not altogether appreciate the claims of a department, and does not see the necessity probably for scientific teaching, and therefore refuses the money.

40843. If they do not see the necessity, is it not possible that the necessity does not exist, in so acute a form at any rate, as is supposed by the department?—There is an educational departmental code which is framed on recommendations made from time to time by a conference of experts which meets annually in Lahore—a provincial educational conference at which all educational interests are represented—and it is not merely the Local Government, it is the Local Government on the advice of this body which lays down these requirements, and if any particular requirement is in accordance with the views of this body and is embodied in the code, the assumption is that the expenditure should be incurred.

40844. It might be desirable from a departmental point of view, but would you not say that to impose all those rigid requirements on the Local Boards makes local self-government more or less a farce?—My sympathy in these cases is generally with the Local Boards.

40845. And you would be inclined to give Local Boards more say in the matter?—Certainly.

40846. You refer to fluctuating assessments, and the evil of the corrupt subordinate official; do you think that fluctuating assessments are to be recommended?—They are inevitable in the south-west of the Punjab.

40847. In spite of all that has been said about the incapability of the local official?—Yes, and if it was put to the people they would undoubtedly vote for it. Of course, there are cases in which it is doubtful, but in certain cases it is unavoidable.

40848. In the Punjab the Inspector-General of Police can deal with his own subordinates and in any case of doubt or necessity he can go straight up to Government himself?—Yes, he is Under-Secretary to Government.

40849. And so can the Chief Engineer?—Yes.

40850. And the Inspector-General of Civil Hospitals and the Director of Public Instruction?—Yes.

40851. But the Commissioner on the other hand if he takes any action has to run the gauntlet of the Financial Commissioner and the Chief Secretary?—The Financial Commissioner in revenue cases, but in regard to Local Board and District Board work he would not.

40852. Is there any reason for making that difference between Heads of other Departments and the Commissioner?—Except that the Commissioner of Lahore cannot be at headquarters, and I do not know that it has ever occurred that they should be summoned from time to time to consult the Lieutenant-Governor.

40853. Is there any reason for interposing between him and the Government two other steps, that is to say, the Financial Commissioner and the Chief Secretary?—The Financial Commissioner is necessary in order to co-ordinate revenue work, and if it all fell on the Lieutenant-Governor, the Secretariat would be overburdened.



40854. Is not the result of the present system that the Heads of Departments are enormously more powerful than the Commissioner?—It never occurred to me to make the comparison, and I do not think any Commissioners resent the interference of the Financial Commissioner; I believe they think it very salutary.

40855. You say a Commissioner is never quite sure whether overruling orders, that is, orders overruling his well considered opinion, emanate from the Lieutenant-Governor or from the Departmental Heads?—I am referring to Public Works, Education and other Departments—not to the Financial Commissioner.

40856. I am comparing the Commissioner with the Heads of those special Departments also?—It is always stated when orders are the orders of the Financial Commissioner, and there is no doubt about it.

40857. I am not at present dealing with the Financial Commissioner; I am comparing the Head of a special Department, as a power in the land, with the Commissioner. Is it not the fact that under the present system the Head of a Department has enormously greater power than the Commissioner?—We feel he has the last say in a matter, which counts for a great deal.

40858. Would you say that the action of a Departmental Head is directed more towards the success of his own narrow department, whereas the key-note of the action of a Commissioner is the general welfare and contentment of the people?—I would not accept that statement. The Heads of Departments are generally selected men, and they have a broader outlook than you suggest, namely, that they should consider only the good of their own department.

40859. But you must take the training of the two men. Is it not almost inevitable that a man who has been brought up, say, in the Police Department, and who has never been accustomed to view matters from any other point of view, must look at things from a narrower outlook than the man who has been trained generally in various departments?—Narrower, no doubt, but not necessarily what you call narrow in the abstract.

40860. Then you think that the system of giving the Heads of Departments enormously greater power is, on the whole, a sound system?—I would not call it enormously greater power; it is more a personal matter. If the Commissioner is overruled ultimately, in consequence of the Head of a Department having the final say, possibly the overruling is right, and he is at a slight disadvantage in the matter, that is all.

40861. As a general rule, would it not be better that a Commissioner should have views prevailing on questions of administration rather than on questions pertaining to departmental matters?—On the whole, I must say that I cannot complain of his powers. I have had to appeal against the order of a Chief Engineer to the Lieutenant-Governor, and I have addressed the Secretary to the Government in the Public Works Department, who was the Chief Engineer concerned, and in that case my appeal was accepted. I give that as an instance of the relations between the two capacities of the Departmental Head—the capacity of the Secretary to the Government and the capacity of the Chief Engineer.

40862. Generally do you prefer to run the Government by departments than through the Commissioner?—I consider that departments are necessary in the interests of efficiency.

40863. I am not arguing against the departments; I only suggest whether it is not possible that they have too great a predominance?—What I would like would be that the Commissioner should have the right to put his finger upon anything going on in any department and say, "I do not think this is in the interests of the people," that he should have a right either to call upon the Departmental Officer, whoever he may be, to report the matter with the Commissioner's view, or himself report it without being told to mind his own business.

40864. You would give him a say in every important point of administration?—I would give him a say in every important point of administration, but not a final say; I would give him a right to raise questions and to call attention to any abuses which he might see.

40865. And you do not see anything objectionable in a system which gives Departmental Heads direct access to Government, and excludes the Commissioner practically from all say in these matters?—It is a disadvantage, but it is almost inevitable that it should be so.

40866. But we find it nowhere else in India; we do not find that separate departments have direct access to the Government or at least only in isolated cases, such as Public Works for instance? The Police and the Education Departments have not direct access?—No; they all go up to Government through a Secretary who is supposed to take a more general view of things.

40867. (*Sir Steynning Edgerley.*) I understand that some recent orders have been issued relating to the powers of Commissioners and Deputy Commissioners with regard to the police. Do you know what they are?—Some 10 years ago the powers of Commissioners and Deputy Commissioners were greatly enlarged, but more recently they were restricted, and I do not think there is any difference in their position in this province as compared with other provinces; I do not recollect any specific orders lately.

40868. What are your actual powers as regards the police of a division?—The weekly diaries of every Superintendent come up to the Commissioner, and he may note upon them and call attention to any matter; they go up to the Inspector-General, who would naturally lay before the Lieutenant-Governor or the Chief Secretary any special question raised by the Commissioner. That is the way in which the Commissioner is kept acquainted with what is going on with regard to the police in each district, and it is for him to take the initiative if he wishes to call attention to any special matter.

40869. Is all he can do to call attention to anything; cannot he send an order to a District Superintendent of Police on his own account?—It all depends; if it is an order affecting the Criminal Procedure Code, he has no power. For instance the Chief Court recently took exception to a District Magistrate having ordered the police to investigate a case which was at the time engaging the attention of a Criminal Court as being contrary to the provisions of the Criminal Procedure Code.

40870. Has he no voice in appointments or promotions or punishments?—His opinion would be undoubtedly regarded as entitled to consideration if he wished to give it.

40871. Then practically he is purely advisory?—Yes; and it is so as regards a Commissioner's decision generally; his statutory powers are very few, and it is chiefly by way of advisory powers that he keeps Government acquainted with facts.

40872. He is hardly an Administrative Officer at all then?—Of course he has appellate powers under the Land Revenue and Tenancy Act. Every order passed by a Revenue Officer is appealable to the Commissioner.

40873. Not in other departments?—The only case I can call to mind is an order passed by a Canal Officer imposing a fine—that is appealable to the Commissioner.

40874. Mr. Maclagan rather suggested that the position should be altogether reversed and that the outside Departmental Officer should be advisory to the Deputy Commissioner and the Commissioner, and that the real orders should issue from those authorities; would a change of that sort be advisable?—I do not think the Deputy Commissioner would bless a reform that would hand over to him the working of the Education Department, for instance, or that would impose a greater obligation upon him in the matter of police.

40875. For instance, you do not care for the theoretical relations with regard to the forest officer, whereby he is responsible to his departmental superior for technicalities, and under the orders of the Deputy Commissioner for the ordinary outside work, or for any relationship of that sort in other departments. It apparently does not exactly exist in practice in the Punjab?—Taking the Public Works Department, for instance, all repairs are done *suo motu* by the Executive Engineer. They put the money into their own budgets, and expend it, and if we wish for any new buildings

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or special repairs or anything of the kind, each Commissioner gets a grant for what is called minor works, and on the Deputy Commissioner's recommendation he can sanction these works, direct the Public Works Department to prepare plans, and when the plans are approved, he can direct them to carry the works: but it is entirely a matter of money.

40876. (*Sir Frederic Lely.*) In his own department or any other department?—In his own department. For instance, with regard to education a certain amount is put into the budget each year, and that is distributed at the headquarters of Government on the advice of the educational authorities. Most of the education buildings are carried out by District Boards and Municipal Committees.

40877. (*Sir Steyning Edgerley.*) As regards the subordinates, steps have been taken to raise the pay of the clerical establishment; is anything going to be done for the outside subordinate establishments, the patwaris, kanungos, and so forth?—Patwaris have only recently become Government servants since the abolition of the Patwari Cess, but if the pay is regulated by the supply and demand, one would say that at present it is undoubtedly sufficient, because there is not the slightest difficulty in getting any number of patwaris.

40878. Is that due to the pay or to the indirect advantages of the position?—I should say it is due partly to the indirect advantages of the position.

40879. Is that a position for Government to be content with?—I do not think that raising the pay to Rs. 20 would affect that at all.

40880. You do not think you could require trustworthiness?—We do our best to require trustworthiness.

40881. But can you justly require if you do not give them a living wage?—I am not prepared to say that it is not a living wage.

40882. You do not agree with the other witnesses that it is not a living wage having regard to present prices?—You see besides the Rs. 14 or Rs. 15 which they get, they get their mutation fees and fees for copies, and no record is kept of what those fees amount to. We never can say what they are, and there are many little services which a patwari does by which he has the means of making money legitimately. Therefore, taking all these extras into account I think he does get a living wage, and there is no necessity for his being dishonest.

40883. Would it not be a desirable thing to cut off the extras and raise the pay?—But these services must be rendered and these copies made.

40884. Quite so, but might not the fees go to Government?—That would require the interference of the Audit Officers and that kind of thing.

40885. Then you suggest you ought to have greater power of removal of either inefficient or dishonest servants?—One Deputy Commissioner of the Multan division reported to me recently that during the past year there were 27 patwaris who had been reported for dishonesty; of these 6 were prosecuted in the Criminal Court to conviction, the Sessions Judge upset 5 of the convictions and the Chief Court upset the 6th, and it is the same story in other departments. It is the fact that after officiating as Commissioner for three years I have sent up recommendations for appeals against acquittals in criminal cases, and the reply was in every case that the Legal Remembrancer did not consider an appeal should be lodged.

40886. And you have no idea what his grounds were?—No; I was told that they were confidential.

40887. You are strongly in favour of the old Court of Wards Act rather than the Amending Act?—We were all accustomed to the old Act, and it was at the last moment in amending our Act that the Government suggested that the North-West Frontier Province principle should be adopted.

40888. Were there any cases of failure here owing to lack of control over the Deputy Commissioner?—Sometimes Deputy Commissioners are inclined to do foolish things; for instance, one would start a horse-breeding establishment without considering whether it would pay or not, but the Commissioner could deal with matters of that sort and keep them in order.

40889. Have you been acquainted with any case where Government have had to give up the management of estates owing to their inability to clear them?—No, I do not recollect in all my Secretariat experience any case of that sort.

40890. Can you say whether there was any case in which great discontent was caused because Government gave up an estate which they could not clear?—No; the Court of Wards is very popular, and it is approved of by the minor's relatives and so on.

40891. It has been stated that it is a cause of great obloquy to the Government if they fail to clear an estate when they have taken it up; would you agree with that?—I should say it would be a cause of obloquy if they failed, but I have never known of an instance in which, even if the debts have not been fully cleared off, they have not been greatly reduced.

40892. (*Mr. Meyer.*) The Court of Wards takes over not merely estates belonging to proprietors who are disqualified, but also embarrassed estates?—Yes, when the proprietor is prepared to declare that he is unfit to manage them.

40893. But supposing a proprietor says that he is fit to manage his estate and all the rest of the family says that he is not, can you, on their requisition, take it over?—I should not like to say without the book, but I do not think so.

40894. When your Deputy Commissioners were Courts of Wards, Mr. Younghusband states that they were still under the control of the Financial Commissioner, and had to get his sanction to schemes of management, and so forth?—Yes, but more goes up now than then, because a series of detailed rules has been issued by the Financial Commissioner since the Act was passed, and many matters which would not have been submitted before have to be submitted now.

40895. The Financial Commissioner had powers of control: did not the Act legalize them and give the control to him in law as well as in fact?—The previous Act consisted simply of two or three sections, merely saying that the Deputy Commissioner should be the Court of Wards; when you say the Financial Commissioner's control was legalized it did not take the form of standing orders.

40896. Still was it not the practice that the Financial Commissioner put his oar in somehow or other?—He did undoubtedly, but not so much as now.

40897. The Act makes the Financial Commissioner the Court of Wards, but does it follow that because he is the Court of Wards he need issue detailed instructions, and require every petty reference to come up to him?—It does not, and during the past three or four years delegations have been issued, and more are coming.

40898. And if there is any criticism to be made, might not one say that the centralized control was rather through the cussedness (if I may use the word) of the Financial Commissioner than of the Government of India?—Yes; but we never saw the theoretical reason for a change.

40899. Have you any material powers now?—Yes; the Commissioner has considerable powers; so has the Deputy Commissioner.

40900. What sort of things go up to the Financial Commissioner?—Expenditure over a certain amount, or establishment costing over so much, and recurring charges.

40901. What sort of establishment cases go up to him?—I think appointments of over Rs. 20.

40902. Is that necessary?—I do not think it is necessary.

40903. In Bengal, for instance, Commissioners are allowed pretty full management of all estates which have an income of less than a lakh of rupees. Could you apply the same sort of criterion here?—I do not think that there are more than two estates in this province which have an income of more than a lakh of rupees.

40904. Who has to decide whether any estate shall be taken over by the court?—The Government itself; it is notified in the Gazette.

40905. Has that always been so?—I think so, when there is a question whether a minor belongs to the

landholding classes. With regard to the commercial classes it is not the policy of Government to undertake the management of estates.

40906. The Government having laid down its policy, might the Financial Commissioner have the decision as to whether an estate should or should not be taken over?—He might.

40907. And the Financial Commissioner having decided that, and approved of some general scheme of management, might not the details of management rest with the Commissioner, and be passed on, in regard to most matters, to the Deputy Commissioner?—Certainly.

40908. Would there be anything in the law as it stands to prevent that being done to-morrow?—No; it would have to take the form of rules.

40909. But if it was carried out, would it not mean a very considerable step in the way of decentralization?—It would. But the Court of Wards is a minor department in this province as compared with other provinces.

40910. But still it would be decentralizing?—It would.

40911. As regards getting rid of men on suspicion, which I gather you are desirous of doing, would that not materially diminish the attractiveness of Government Service? Is it not one of the reasons that we can pay men lower salaries in the Government Service that it is looked upon as very secure?—I think it would take a great deal more than that to diminish the attractiveness of the Government Service.

40912. Would it be possible that a prudent man, who thought he was likely to be removed, might make some sort of insurance for himself in certain ways?—I should say that if he did so, that would probably hasten the process of dismissal.

40913. In this province have you any limitation of appeal, or, as regards Government servants, can a *chaprasi* even appeal up to the Lieutenant-Governor? There are no rules whatever. If a *chaprasi* is regarded as an official appointed by a Revenue Officer then there is a limitation. When the Deputy Commissioner dismisses, an appeal lies to the Commissioner, and if he rejects the appeal, the Financial Commissioner can only revise.

40914. Is it regarded as an appeal under the Revenue Code?—Under the Revenue Act any order passed by an officer in his capacity of Revenue Officer is subject to appeal.

40915. What is the rule; are dismissals of *chaprasi* or Deputy Commissioner's clerks treated as appeals under the Revenue Act?—As a matter of fact they do appeals in exactly the same way. There is some general provision with regard to Deputy Commissioners appointing establishments, and that general provision brings every official so appointed under the Land Revenue Act. It is an absurd rule, and we are very much hampered by the Land Revenue Act covering every order that is passed.

40916. Still if a Deputy Commissioner dismissed a clerk receiving Rs. 20, and you upheld the dismissal on appeal, it would be final unless the Financial Commissioner chose to revise it?—It would, but the revisions really take the form of appeals.

40917. Are revisions so frequent that it may be said they constitute another appeal to the Financial Commissioner?—Certainly.

40918. Might one say the same with regard to the Local Government?—No one can prevent anybody from presenting a petition to the Local Government, and if, on the face of that petition, it should seem that some injustice has been done, a report will be called for. It never takes the form of an applicant coming before the Local Government and stating his case.

40919. There are two ways of dealing with revision applications; you may refuse to intervene unless you think there has been a flagrant case of injustice or illegality, or you may treat it as a regular appeal, and intervene whenever you disagree with the opinion of the authority next below you. What are the tendencies of the Local Government in this province?—The Local Government very seldom intervenes in

these matters in cases of dismissal, and it probably would only seriously regard an appeal from a tahsildar or a naib-tahsildar or some superior officer.

40920. As regards the Revenue Code generally, what is the tendency of the Local Government as to these revisory powers? Is it to exercise them very rarely, or is it to practically twist them into another appeal?—The Local Government very seldom interferes; the Financial Commissioner takes all that work.

40921. Does the Financial Commissioner practically make himself into an Appeal Court, or does he exercise his powers very rarely?—From the statistics with regard to revision cases disposed of by the Financial Commissioner he decides a very large number, but the proportion in which he upsets an order is very small.

40922. But still he has gone into them?—Yes; that is to say, the clerk of the court gets the files and notes on cases.

40923. In other provinces there is a definite limit with regard to Government servants, and a man on less than Rs. 50 cannot put in a second appeal to the Local Government. Would you be in favour of such a thing here?—Yes.

40924. Can you tell me anything about the Weighment Cess which is levied in certain villages?—It is entirely unofficial and outside Government rules and regulations, except possibly in the Chenab Colony, where assistance is given; some villages have it and some have not. In some places a village cess is levied, and they put it into the *malba*.

40925. Is it a sort of octroi?—It is rather a tax on sales called *dharat*.

40926. Is it general?—In some districts it is; for instance in the Rawalpindi division it was fairly general.

40927. What does it go to?—It goes to the village *malba* to defray the expenses of the villages, but there are a great many complaints that the *lambardar* does not account for it.

40928. Would negotiations with a settlement *patwari* or a settlement *kanungo* come from the *malba*?—I do not think that the *patwari* enjoys much of the *malba* fund; he has his other methods.

40929. If the villagers can deal with these funds, is it not rather an argument in favour of giving them other matters to deal with and allowing *panchayats* to deal with local sanitation, schools, and so forth?—There is nothing to prevent them dealing with local sanitation as it is, and they do deal with it. They prescribe the places at which manure heaps are to be put, and so on, but they have no power of inflicting a criminal penalty and, once you give them that, it means calling in the police and creating powers to enforce those penalties.

40930. If you give them power to deal with petty civil and criminal cases and to punish by fines, could they not also have power to enforce their awards?—But how would you enforce them.

40931. I suppose by attachment of property?—But you would have any amount of rioting. Many of the villages in the Punjab are full of faction, and you would have one part of a village against the other; most of the criminal cases occur amongst members of the same village, and one generally finds that there is some faction dispute at the bottom of it all.

40932. Then is it your opinion that factions are too strong for any such thing?—Undoubtedly.

40933. Have you any acquaintance with the experiment which has been made in Patiala?—I have no acquaintance with it, but I should say that if the guiding hand were withdrawn, it would probably collapse. One sees so much of this sort of thing in the shape of agricultural banks which are started by some particular officer, and while he is there they go on all right, but when he goes away the whole thing collapses.

40934. Are we to understand that the Patiala *panchayat* system is a kind of exotic and is being tended by an energetic officer?—That is only an *a priori* opinion of mine.

40935. You say that fluctuating assessments are inevitable in the south-west, is that where there is

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direct river irrigation and the land cropped alters materially from year to year?—Yes. It depends entirely on the state of the flood in the river.

40936. But in other places where the irrigation is more certain and the area cropped does not alter much, have they started the fluctuating assessment system?—They have it in the new Canal Company and there evidence was presented to the Colonization Commission in favour of fixity, where the conditions favoured fixity.

40937. Is it not an objection that it gives very much more power to the patwari?—Of course it does.

40938. (Mr. Hichens.) Does the Executive Engineer prepare the Public Works Department budget of the district?—No, it is prepared at headquarters.

40939. Does he not send up a preliminary forecast as to what amount is required?—It is generally well known what the expenditure for repairs on public buildings in each district will amount to in a year. For new works, it is the various departments which make the proposals. In the case of roads, certain officers state periodically what roads are required in a district or division, and all these proposals go up to Government, who decide the question of order of urgency, as to which are the most necessary; and then in the provincial budget so much is allotted each year for new roads, and grants are made according to the order of urgency, which may have been settled some years beforehand.

40940. So that the District Officer has no say about it?—He has an opportunity of representing the claims of his district to share in any grant made for roads.

40941. To whom does he represent that?—To the Commissioner, and the Commissioner represents the claim of the division.

40942. Does he represent the claim in respect to all Public Works?—He is principally concerned with revenue buildings; the Executive Engineer and the Superintending Engineer have nothing to say whatever to them. So many lakhs are allotted to the Financial Commissioner for revenue buildings, and the District Officer has to inform the Revenue Commissioner as to the necessity of those buildings, and he keeps a list in order of urgency.

40943. Has the Commissioner or the Deputy Commissioner a list with regard to other works which they might think desirable, such as roads, buildings, or irrigation works?—Yes, the Commissioner has the control of what are called minor buildings, and he can decide the urgency of them and allot funds, because a grant is made to him each year.

40944. Does that plan work satisfactorily?—Yes, I think it does; I do not see how it is possible to improve it.

40945. Would it not be better, for example, in framing the budget, for the Executive Engineer and Deputy Commissioner to put their heads together and make out a Public Works budget in regard to the district, and to send it to the Commissioner, who, in consultation with the Superintending Engineer, would settle the whole thing and send it in, with comments, to the Chief Engineer?—That might result in a man saying that five lakhs were wanted, and it being found that for a certain division only two lakhs could be spared; all the work would have to be done over again.

40946. But would it not be possible to put down the works which were required in the order of urgency?—But there are certain big works with regard to which it is desirable that the Financial Commissioner should decide whether they should be constructed or not, having regard to the requirements of the whole province.

40947. But that would not be prevented in any way, by this system which is carried out in some other provinces?—I am not sure what it is, but our system is that we get a grant first, and then decide how to expend it, because, after all, the Public Works Department is the residuary legatee of all grants, which vary considerably from year to year, so that it is useless to draw up detailed schemes with regard to buildings which it is not possible to construct.

40948. Speaking quite generally, is the Executive Engineer or the Deputy Commissioner in a better position to say how money could be best expended on

roads in the interests of his district?—The Deputy Commissioner, because he knows more about the requirements of the district, undoubtedly with regard to roads.

40949. From that point of view, ought he not to have a substantial say?—I consider that he has.

40950. In practice, his advice would not be rejected?—His advice would be considered more valuable than that of the Executive Engineer; in fact, I do not think the Executive Engineers are consulted at all about new works.

40951. Can the Commissioner advise about anything he likes?—With regard to a revenue matter, it would not be etiquette to pass over the Financial Commissioner; but, with regard to any other matter, he can.

40952. Would it be considered a lack of etiquette on his part, supposing he differed with a certain department on a matter, if he represented it to the Lieutenant-Governor direct?—Sir Denzil Ibbetson introduced the system of a monthly letter by Commissioners to the Lieutenant-Governor (entirely in an informal way) in which they might mention any matters of interest in the administration, and any matters of that sort could be mentioned and permission might be asked to refer them officially. In the case I referred to, with regard to appealing against an order of the Chief Engineer, I obtained permission from Sir Denzil Ibbetson to appeal.

40953. In practice would that never be refused?—It would not.

40954. You refer to district funds; and you say that "Some scheme should be devised which will prevent the bankruptcy of district funds by reason of the charges for famine and plague being thrown upon them." Is it a fact that charges for famine and plague are made a first charge upon district funds?—In practice they were, taking the district I know about best and where I was Deputy Commissioner at the time (Jullundur). When I went to the district, I found the expenditure on the repair of roads, which for years averaged about Rs. 35,000, had been reduced to about Rs. 15,000 or Rs. 20,000, with the result that there were complaints from all quarters that the roads were going to rack and ruin, and that this was due to the fact that the District Fund was being exhausted, owing to the plague expenditure being charged to it until the balance had disappeared.

40955. Who prescribes the expenditure—the Government?—It was a standing order in a Resolution of Government that plague and famine expenditure was chargeable to the District Board, and that the minimum balance need not necessarily be observed.

40956. Is that still the standing order?—Government is more liberal in the matter of plague expenditure now; it was only a question, I should say, of the Deputy Commissioner having taken up the matter in time, and calling the attention of the Government to the fact that other services were being neglected; and if he had not done so, I think Government would not have come to the rescue as they did, because, when I represented the case, they gave a special grant to that district of Rs. 25,000 to pay for repairs to roads.

40957. Do you think that famine and plague charges are provincial charges?—I think the District Fund is too small a unit to impose such a heavy charge upon, because it might wipe out all the savings of years which had been collected for some special purpose; similarly in the case of a municipality.

40958. Would you make them entirely a provincial charge?—Yes.

40959. We have been told that there are a variety of limitations to the general principle that a district cess should belong to the District Board; is that so in your division?—It belongs entirely to the District Board since the famine cess was abolished.

40960. Is nothing abstracted and given back to the provincial Government?—Yes, there is what is called a 20 per cent. contribution for the services of Provincial Officers.

40961. Are there any other amounts which are deducted before the proceeds of the district cess are handed over to the District Boards?—The district cess is, as a matter of fact, when realized, credited to the District Board in full, and any contributions to Government are charged as contributions for specific

purposes. For instance, the Government recently made a provision as to high schools at district headquarters, and at the same time said that the municipalities were not to be relieved of the expenditure which heretofore was charged against them for those schools, so that the amount is adjusted by an annual contribution representing the net expenditure which the municipalities previously had to bear.

40962. That is with regard to municipalities, but, with regard to District Boards, do they not pay over 20 per cent. contribution of their income to the provincial Government for services rendered?—It is called a 20 per cent. contribution, but, as a matter of fact, it does not amount to that. It was 20 per cent. some 20 or 30 years ago, when it was fixed, but I believe now the amount is actually fixed, in the Secretariat, according to some rules which have the result of making it less than 20 per cent., although it is considerable.

40963. Is that the annual sum which they are bound by law to pay over to Government, or are there any other sums in addition?—There is a provision in the District Boards Act that District Boards shall contribute to the cost of the provincial Government establishment; the amount is not fixed by the Act, but the principle is contained in the Act; there may be Assistant Surgeons and establishment for vaccination, towards whose pay contributions are made, or there may be members of a provincially organized establishment, who cannot, having regard to the interest of the Service, be placed under specific Local Boards; and Local Boards simply contribute to their pay, and Government pays them. It is all a matter of adjustment.

40964. That is to say, that the vaccination work is carried out by the Government, and paid for by the District Board?—With regard to local vaccination, yes.

40965. Would the matter of increasing salaries of vaccinators or of Assistant Surgeons be done without consulting the District Board?—They go according to their grades, and if a man according to his grade was entitled to promotion, the District Board would have to contribute accordingly.

40966. Were not some of these officers made pensionable recently?—I do not recollect that.

40967. At any rate, if they were made pensionable, would the District Board be consulted first, or would the charge be levied against the District Board without their being consulted?—The charge would be levied against the District Board. Sometimes a protest might be made with regard to an officer of a high standing being posted to a municipality which could not very well afford to pay him, and such protests would sometimes be accepted and sometimes not.

40968. Would the same thing apply, to some extent, to municipalities? For example, you said just now that the high schools were managed by the Government and paid for by the municipalities?—They are not paid for, but the net cost of the high school prior to the provincialization is a charge against the municipality as a contribution.

40969. Would it be desirable to give District Boards greater freedom in regard to the expenditure of their revenue?—I do not see that they can complain of restrictions. If the principle that existing schools are not to be abolished, and that existing hospitals must be maintained is to be observed, the money is practically earmarked. Government only lays down principles saying that they must not abolish existing institutions. For the rest, they have full powers.

40970. (*Mr. Dutt.*) We have been told by some witnesses that it is a good principle to charge to the District Board the cost of such departments over which they have actual control, and not to charge them for work over which they cannot have control?—Sometimes there are works—for instance, a large bridge—made by a Government Engineer, because the local Engineer, probably, is not supposed to be professionally able to supervise it; and, in that case, there is no reason why the District Board should not pay the Government bill.

40971. In that case, might not the District Boards themselves ask for the assistance of the Government Engineer, and thereby legitimately pay for it?—That is practically what they do.

40972. Therefore, if you admit, generally, the validity of that principle, would it not be fair to take away vaccination work altogether from the District Board and make the Government pay for it?—I see no objection to Government paying for it.

40973. You have told us about the 20 per cent. contribution made by District Boards for Government supervising establishments. Are you aware of such large contributions being made by District Boards in any other province of India?—No, I have not studied the District Boards Acts of other provinces, but I may mention again that it is not 20 per cent., although it is called 20 per cent.

40974. Are you aware that in some provinces the Government do all the supervising work without charging anything to the District Board?—I would not call that inequitable.

40975. With regard to famine and plague, is the money debited to the District Board under any section of the District Boards Act?—Yes, it is one of the objects on which the District Board funds may be expended; plague, of course, was not mentioned when the Act was passed, but medical relief is mentioned.

40976. Looking at the great importance of famine relief and plague relief operations, should not the charges be borne by Government rather than by District Boards?—It is rather that the District Board finances never were established in contemplation of such heavy charges.

40977. Therefore, is it not equitable that the Government should bear those charges rather than the District Boards?—If they are not borne, the existing District Boards establishments may severely suffer, in the way of upkeep of schools, hospitals, and other things.

40978. Is the cess 1-12th of the land revenue?—It is Rs. 10 and some annas—it is about Rs. 5 on the annual value.

40979. (*Mr. Meyer.*) Is that so, now that you have taken half the famine cess?—It is Rs. 8-5-4 now, I think, and it used to be Rs. 10-6-8, and the famine cess was about a fifth.

40980. (*Mr. Dutt.*) Is the cess realised with the land revenue?—Yes.

40981. How are the Public Works of the District Board done; are they done generally by the Public Works Department or by Engineers and Supervisors employed by the District Boards?—They are done generally by the District Board's own Engineers.

40982. Is it only with regard to important Public Works that you go to the Public Works Department?—Yes.

40983. In those cases, is any percentage paid to the Government for the services of the Public Works Officers?—There is a charge for establishment and plant, but in as many cases as not it is waived, and generally it is not charged.

40984. With regard to the Provincial Revenue Service, do you agree with the last witness that Extra Assistant Commissioners who have been appointed to the post direct for their educational and other qualifications are generally abler and more honest men than those who have been taken from the Ministerial Service?—No, I think it is hardly fair to say so. The number of Extra-Assistant Commissioners appointed by competition is two per annum, and the number appointed otherwise is five or six per annum. Before the competition system was introduced they were all recruited from the Revenue Service, so that if dishonest men have been found out occasionally amongst those promoted from the revenue establishment, it was because they were immensely larger in number. I do not think you can judge yet from the numbers of the two classes. Those men who are promoted from the revenue establishment are picked men, picked tahsildars and Munsifs, and on the whole I should say the ranks of our Provincial Service are a very worthy and efficient body.

40985. You would not bring a charge of dishonesty or want of intelligence against them as a class?—No.

40986. Or against the majority of them?—No.

40987. And it might only be a very small minority that is affected?—Yes.

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40988. From what you have seen with regard to their ability and integrity would you be inclined to give preference to one class over the other?—I would not say that the best men are the competitioners, but that there might be fewer failures among them.

40989. In the course of time is it likely that this system of appointing them according to educational qualifications will extend more and more?—I think we get very good educational qualifications as it is in regard to the promoted men—men promoted from the ranks of tahsildars and Munsifs.

40990. Do the tahsildars and naib-tahsildars begin as humble ministerial officers?—Tahsildars are mostly promoted naib-tahsildars. Naib-tahsildars are of two classes:—(1) young men of good zamindari families who must have passed the University Entrance Examination, and (2) kanungos. Of these there are probably about two kanungos to three of the other class.

40991. So that you would not say they have gone through what might be called a demoralizing training?—No.

40992. You say that when a Collector knows that a canal *zilladar* or *patwari* is notorious for bribery and extortion, he may call the attention of the Executive Engineer to the matter, but he cannot take any further action to ensure redress; would you recommend some sort of check, or some sort of controlling power, being given to the Collector over the work of the Irrigation Department?—If it could be devised. I have not thought of any system, but it would be very salutary if he had some power of bringing to the notice of the higher authorities such cases that come to his notice without his being told he ought to mind his own business.

40993. With regard to the Forest Department, is the district forest officer under the control of the Deputy Commissioner?—Very much so in the case of what are called unclassified State forests, but in the case of reserved and protected forests, where everything is regulated by rule, there is not the necessity, because it is all cut and dried.

40994. Are not people given grazing and other rights even in reserved forests?—That is provided for by working annual plans which go to the Collector and the Commissioner who have power to suggest, and in fact order, that more grazing facilities shall be provided for the year.

40995. So that in those matters the Deputy Commissioner has some power?—He has.

40996. With regard to the unclassified forests we have had some evidence that there would be no objection to transferring their management entirely from the Forest Department to the Revenue Department; would you be inclined to support that opinion?—The Deputy Commissioner has not always the time to manage them; he may have in some districts, but in others he might not, but the forest officer is regarded as his assistant for the purpose and he is a useful assistant as a rule.

40997. Are not unclassified forests mostly waste lands unfit for growing valuable timber?—In the plains there are lands as you describe them waiting for canal irrigation. For instance, the whole of the Montgomery

district, or a large portion of it, is unclassified until the new canal comes, but in the hills there are areas left outside the protected and reserved forest area for the use of the people, and a certain amount of tree growth is found on them which has to be carefully looked after.

40998. But where there is no valuable timber land, is there any objection to transferring them altogether to the Revenue Department so as to avoid either the administration of the Forest Department or the dual control which exists in some provinces. I do not think it is really a dual control in this province, but I cannot give an opinion on the point.

40999. You refer to the misdeeds which flourish under the ægis of the Irrigation Department; is there any possible way of stopping that which you can suggest, beyond giving control to the Deputy Commissioner?—The counsel of perfection in the case of the Chenab Canal was to introduce what is called a module for regulating the amount of water supplied, and having gauges with which the subordinates cannot interfere, but so long as the amount of water supplied is a variable quantity and the *zilladar* can increase or diminish it, it is very difficult to devise any means.

41000. Do these misdeeds prevail only amongst the subordinate Canal Officers, or do they extend higher up?—One hears of subordinates not being called to account by the higher authorities—by the Sub-Divisional Officers.

41001. And you cannot suggest any other method of stopping that?—It is one of the matters which engaged the attention of the Canal Commission, but I do not know whether any remedy will be suggested.

41002. (*Sir Frederic Lely.*) You mentioned just now that a Commissioner had a grant for minor works; do you mean minor works in the Land Revenue Department or all over the Division?—I mean minor works in the Land Revenue Department.

41003. And nothing to do with the requirements of other departments?—It would not include roads, because roads are chiefly the business of the District Boards, and it is only the larger main communications which Government undertakes the responsibility for, and the Commissioner is only an advisory authority with reference to them.

41004. If a re-appropriation is made in the Public Works budget during the year, is it done with the previous sanction of the Commissioner; if money is transferred from one work to another does the Commissioner have to sanction it?—In minor works the Commissioner can sanction; the Public Works budget is not made out separately for divisions, but for the province as a whole.

41005. Taking the provincial budget, what would happen?—What happened last year was that after sanction, orders were issued that certain works which had been sanctioned and for which funds had been allotted, should be struck out, the allotment being withdrawn.

41006. Can the Public Works budget be manipulated during the year without even the cognizance of the Commissioner at headquarters?—Yes.

(*The witness withdrew.*)

The Hon'ble Mr. R. E. YOUNGHUSBAND was called and examined.

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41007. (*Sir Frederic Lely.*) You are Commissioner of the Lahore division?—Yes. I was Junior Secretary to the Financial Commissioner for some years.

The powers of Local Governments generally are unduly restricted, especially in the Civil Account Code. I refer particularly to the restrictions imposed by chapter 17 of the Civil Account Code and articles 76 and 77 of the Civil Service Regulations. So also the powers of the Government of India under articles 368 and 740 of the Civil Service Regulations might properly be delegated to Local Governments. But what is of even more importance than actual delegation of powers is a relaxation of the extreme strictness and rigidity with which the code and regulations are at present interpreted by the Accounts Department. More respect should be paid to orders actually passed by Local Governments, and where an official has drawn an increased salary under the orders of Government,

he should not be required to refund the excess actually drawn, even though Government exceeded its powers in granting the increase. There was a case in my division in which the manager of wards estate (a Government official whose services had been lent) was granted an increase of salary by the Punjab Government. After he had drawn the increased salary for 18 months, it was discovered that the increase was not admissible under the Civil Service Regulations, and he was ordered to refund the amount which he had drawn for a year and a half under the orders of Government.

I do not know of any case in which an appeal to Government is prescribed by law, in which the law allowing the appeal should be repealed. I do not think that the right of appeal allowed in the Land Revenue Act is excessive. But I think that the Commissioner and Financial Commissioner when hearing



appeals from executive orders of Deputy Commissioners should be careful to interfere with those orders as little as possible except where real injustice appears to have been done.

The demand for reports and returns has increased, and is so great as to impair the quality of the administrative work of Executive Officers. The increase is due both to the action of the Secretary of State and to that of the Government of India. The requirements of the Secretary of State are constantly increasing. As regards the Government of India, the increase in numbers in the *personnel* of the Secretariats and the creation of new departments and new Directors and Inspectors-General is bound to cause an increase of work. What is required in my opinion is that all authorities should remember that the unit of the administration is the Deputy Commissioner, that the amount of work which he can get through is limited, and that the more he is called upon to report progress, the less progress is it possible for him to make in the real work of administration. The more writing that he has to do, the less time he has to get and keep in real touch with the people.

The position of the Deputy Commissioner or Collector as the Executive Head of the district is recognized in the Land Revenue Act and Rules, and I have no specific suggestions for delegating more authority to him, except in a few matters of detail, e.g., he should be given authority to select his own district *kanungo*, *nazir* and excise *daroga*.

There are many provisions of the rules under the Punjab Court of Wards Act (II of 1903) by which powers which might properly be exercised by Deputy Commissioners are retained in the hands of the Commissioner or Financial Commissioner. In my opinion the passing of Act II of 1903 was a mistake. Previous to the passing of Act II of 1903 the Deputy Commissioner was the Court of Wards for his district, subject to the control of the Commissioner and Financial Commissioner in certain specified matters. He had to obtain the sanction of the Financial Commissioner to the scheme of management for each estate, but subject to the sanctioned scheme the Deputy Commissioner was generally responsible for the management of the estate. Now the Financial Commissioner is the Court of Wards, and the Deputy Commissioner and Commissioner only exercise such powers as are delegated by the Financial Commissioner. The change should be rectified; it has increased the work and correspondence very considerably.

The intervention of the Commissioner is in many cases of finance and accounts unnecessary. Instances of what I mean are the following:—

- (a) Every budget signed by the Deputy Commissioner comes to the Commissioner for countersignature. This is in most cases sheer waste of time. The only budget in which any useful check can be applied by the Commissioner or in the Commissioner's office is the Land Revenue budget, but even it is subjected to a much closer scrutiny in the Financial Commissioner's office than it is possible for the Commissioner to apply; and I would let all budgets go straight from the Deputy Commissioner to the Head of the Department.
- (b) Some budgets, such as the Court of Wards budget and the Cutcherry Fund budget are passed finally by the Commissioner. I consider that these might be passed by the Deputy Commissioner.
- (c) The Commissioner's countersignature of the Deputy Commissioner's contingent bills serves no useful purpose.
- (d) In many cases departmental rules unnecessarily require the Commissioner's countersignature to refund statements. For instance, a Colonization Officer or Deputy Commissioner imposes a fine, which is realized, and subsequently he reviews his order, remits the fine, and directs it to be refunded; or an Executive Engineer (Irrigation Department) remits land revenue or *abiana* which has been realized and has to be refunded. In these cases refund statements have to be prepared and under the Land Revenue Rules (256-59) have to

be signed by the Commissioner, although the actual order of remission has been already passed by the Deputy Commissioner or Executive Engineer, and in the latter case is passed by an officer who is entirely independent of the Commissioner. Or again, take the case of unclaimed cattle which are sold and the price credited to Government. Subsequently the owner identifies the cattle and the District Magistrate after inquiry passes an order for the refund of the price. Although the District Magistrate is competent to order the refund of the price, the refund statement requires the countersignature of the Commissioner.

- (e) Another matter in which the Deputy Commissioner might be given authority is the striking-off of petty sums (up to a limit of say Rs. 10) under objection, at all events in cases in which the objection is a technical one and there is no question of Government being defrauded.

I should be glad to see the language of rules like Article 98 (m) of the Civil Account Code altered. I have known this rule interpreted in such a way as to require the sanction of Government to be obtained to a fixed charge of a rupee a month paid to a watchmaker for attending to the office clock. Article 98 (m) might well be struck out of the Code altogether, and in any case rigid language of this kind is out of place. Article 5 of the Civil Account Code is another instance of too great rigidity of language. If a Commissioner or Deputy Commissioner takes the responsibility of ordering the payment of an advance in order to meet a sudden emergency, the Treasury Officer should be permitted to comply with his order.

The order of a competent officer not below the rank of Deputy Commissioner regarding the acceptance of a person's name on a list of candidates, or the appointment or promotion of officials, should be final, and no appeal should be allowed. As regards punishment and dismissal, I offer the following suggestions:—The Deputy Commissioner's orders should be final in the case of officials in "inferior" Service, and others drawing salaries not exceeding Rs. 20 a month. Officials drawing salaries exceeding Rs. 20, and not exceeding Rs. 100, should be allowed one (but not more than one appeal), i.e., from the order of the Deputy Commissioner to the Commissioner, or from an original order passed by the Commissioner to the Financial Commissioner. Government officers drawing salaries in excess of Rs. 100 should be allowed to appeal to the Local Government. Gazetted Officers should be allowed to appeal to the Government of India. These suggestions apply only to officials employed in the general line.

The Government would, no doubt, admit that the tendencies towards rigidity and undue consideration of revenue always have some force and require to be checked. It is essential, first, that the Secretaries, and the Lieutenant-Governor should have practical and varied experience of executive work; and, secondly, that the Secretariat should not be too strong in numbers. A numerically strong Secretariat always means additional work for Executive Officers.

I do not think that any hard-and-fast rules can be laid down for increasing the influence of the Commissioner, although we can, no doubt, all give instances in which the over-ruling of the advice of the Commissioner in departmental matters has been a mistake. It is difficult to bring the Commissioner into much closer relation with the departments than he is at present without adding to work and delaying progress. It rests with the Government and the Financial Commissioner to consult the Commissioner before important changes are made, and the influence of the Commissioner depends very much on the extent to which they do this and the importance which they attach to his views.

Executive Officers have not as much opportunity for coming into personal contact with the people as they should have. District Officers are too much hampered by calls for reports of all kinds. The multiplication of departments leads to additional calls for reports and to a tendency on the part of the officers in charge of those departments to interfere too much in details which should be left to the Deputy Commissioner. In some exceptional cases districts are too large; in other

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cases, the extension of irrigation makes the work of a district too heavy, and districts require to be subdivided. These matters are duly taken up by Government when they are properly represented.

Deputy Commissioners, as a rule, have a good knowledge of the vernacular of their districts.

I do not advocate any change in the Punjab practice, under which promotion to the grade of Deputy Commissioner is regulated by seniority subject to the rejection of the unfit, and promotion to the grade of Commissioner is made by selection, due regard being had to seniority. An extension of the principle of selection would be very apt to lead to jobbery, or at all events to the suspicion of jobbery and favouritism and to resulting discontent, from which the Punjab Commission has hitherto been happily free.

In the case of some of the more unpopular districts, an officer (in this case a junior officer) is appointed to the charge of the district on condition that he stays there for three years. I should be glad to see the principle extended, although I know that there are difficulties in the way. In the case of Assistant and Extra-Assistant Commissioners, I have sometimes thought that changes are too frequently made. Criticism of this kind is very easy, and District Officers do not always realize how difficult the work of appointment is; on the other hand, it is desirable that Secretaries should realize how much the work of a district is hampered and delayed by transfers of the staff.

I do not think that larger powers should be granted to Municipal Committees and District Boards. But I think that they should be freed from many restrictions by which they are at present hampered. I give the following instances:—

- (a) They are not allowed to give their employes on retirement gratuities except in accordance with the provisions of the Civil Service Regulations—a code of rules which is quite unsuited to the requirements of these Boards. A Board may (with the Commissioner's sanction) give a man a gratuity of 12 months' pay as a reward for good service, while he is in the service of the Board, but may not give him the same amount as a gratuity on retirement.
- (b) They are not allowed to employ pensioned servants of Government, although these persons are in many cases the most suitable for particular kinds of municipal work.
- (c) A District Board may not open a dispensary without the sanction of the Inspector-General of Civil Hospitals or construct a *serai* without the sanction of Government.

Local Boards have not been a success in the Punjab, and I do not think that larger powers should be given to them.

The functions of Municipal Committees and District Boards might be extended by using them as Advisory Councils.

The District Board is practically an Advisory and Administrative Council in respect of matters within its sphere of action. It would be most inadvisable to create a second District Council. Divisional Councils are not in my opinion required.

The idea of the panchayat system is very attractive, but it has been tried and proved a failure in the Punjab at a time when the country was much more unsophisticated than it is now. I have had experience of the *jirga* system (which may be considered an extension or adaptation of the panchayat system) in three districts on the frontier, and have worked it with, I believe, considerable success, but it is not suitable for general adoption. What is done in the Punjab is to appoint native gentlemen of position Honorary Magistrates exercising both criminal and civil powers within a limited area. Some of these gentlemen do a great deal of work, and their influence in support of the administration is most useful. Some are less satisfactory. Any wide extension of this system is not possible, because the number of country gentlemen who can exercise these powers usefully in any given district is not great. In the larger towns there are benches of Honorary Magistrates.

41008. Is the time of the Financial Commissioner much taken up with appellate work?—It does not come before the Secretary, but is arranged for directly.

41009. What would be the bulk of his work? Is it appellate or executive?—I think it is both, but it is not a subject on which I ought to give evidence, as it did not come before me as Secretary.

41010. But he has to do a good deal of appellate work?—Yes; under the Tenancy Act and under the Land Revenue Act. That does take up a good deal of his time.

41011. Would you accept as a general rule the statement that the officer who is competent to order a refund should also be competent to make the counter-signature without any other person intervening?—I think so.

41012. What is the average period of service at which a man becomes Commissioner here?—It varies enormously. In this province I do not think it would ever be less than 20 years.

41013. Would it usually be more than that?—I became a Commissioner after about 25 years' service.

41014. Is the Commissioner a selected man?—A Commissioner is selected with regard to seniority.

41015. Might they be regarded as the picked men of the Civil Service?—They are the picked men of the top, I think.

41016. Has a Commissioner in the Punjab any power whatever with regard to the government of the country, or has he merely an advisory power?—He can order a Deputy Commissioner to do anything.

41017. He can order a Deputy Commissioner to do certain things within the sphere of Land Revenue?—And much more than that.

41018. Can he give orders generally to a Deputy Commissioner?—Yes.

41019. Has he no direct power in the shape of dealing with the policy of the province?—The Deputy Commissioner is the Executive Officer of a district, and the Commissioner, as such, I should say, has no actual executive authority.

41020. Would you say that he has no power except as the superior of the Deputy Commissioner?—As the superior of the Deputy Commissioner, speaking with regard to power in governing the country, he has considerable power in the way of advising Government.

41021. Has he no final power of decision in any matter whatever?—Under the Land Revenue Act he has certainly. In certain cases he has final powers—powers, that is to say, from which there is no appeal.

41022. Are they important matters?—If the Commissioner concurs with the opinion of the Court below, there is no appeal from him under the Land Revenue Act. Then he has certain powers of ordering remissions of land revenue and suspensions.

41023. What can he do in the direction of remitting land revenue?—I cannot give any definite answer to that question because the rules have just been altered, but I think it is up to Rs. 5,000.

41024. Would you accept the modified statement that the final powers of the Commissioner are very limited?—Yes, they are limited.

41025. He has no direct access to the Lieutenant-Governor?—Yes, a great deal of my correspondence goes directly to the Lieutenant-Governor.

41026. Not through the Financial Commissioner?—Correspondence connected with revenue matters would go through the Financial Commissioner.

41027. And then through the Chief Secretary?—Yes, or the Secretary.

41028. Is there anything to explain the different treatment of revenue business and of ordinary departmental business? Why should the additional intervention of the Financial Commissioner and the Chief Secretary be necessary in regard to land revenue business and not with regard to departmental business such as police, education, and so on?—It is necessary to have one chief Revenue authority in the province, namely, the Financial Commissioner.

41029. But is there any reason for the extreme difference in the method of treating most departmental subjects and land revenue subjects?—I should like to explain in dealing with correspondence that a great deal can be, and is, referred direct to Government, but at the same time correspondence on police matters, for

instance, is very frequently sent to the Inspector-General in his capacity of Under-Secretary to Government in the Police Department.

41030. Is that not the method of treating most police matters? Why should there be a difference in the method of treating police subjects and the method of treating land revenue subjects; is it that the Inspector-General is more trusted than the Commissioner, and that there is need that the Commissioner should be controlled by two extra officers?—It is not a question of control in regard to revenue matters, but it is a question of having one single Revenue Officer of the province whom the Local Government can consult.

41031. And that authority is not the Commissioner?—The Commissioner is only the authority in one division.

41032. Then it is necessary also to have a still further authority?—I think so, as regards revenue matters. I have often thought that the matter might be solved by making the Financial Commissioner *ex-officio* a Secretary to the Government in the Revenue Department, as has been done in the North-West Frontier Province, and combining the offices.

41033. At present there is no distinct Revenue Secretary?—There are two Secretaries of whom one is the Chief, and it rests with the Lieutenant-Governor to give what work he likes to each. At one time the Chief Secretary does revenue work, and at another time the other Secretary does revenue work.

41034. As a matter of fact, do you think any interests would suffer if the Commissioner was abolished altogether, and the Deputy Commissioner was made to correspond direct with the Financial Commissioner? Is the Commissioner of any use in the Punjab?—I think he is. The Secretariat would find a great deal of extra trouble in controlling all the Deputy Commissioners without him.

41035. Then you think he is of use as an Advisory Officer?—And as a Controlling Officer.

41036. In the case of District Boards is it fair to say that the departments dictate how much a District Board shall spend on each particular object?—The Education Department tries to do so very often.

41037. Do they generally succeed as far as funds will go?—That depends very much on the Commissioner and the Deputy Commissioner.

41038. Is the District Board allowed as a matter of fact any say at all?—Yes. The District Board makes out the budget for the year, and a copy of that budget, or an abstract from it, is sent to the Director of Public Instruction; the Director of Public Instruction then writes to the Commissioner and says he is satisfied as far as education goes, or he writes and says that he does not think they are spending enough, and then the Commissioner has to go into the figures, and either write back to the Director of Public Instruction and say "I do not agree with you," or he can write to the Deputy Commissioner and say "I agree with the Director of Public Instruction, and I think the District Board ought to make more provision."

41039. But the District Board itself has very little to say about it?—It has made its original budget.

41040. (*Mr. Dutt.*) When money is allotted for primary education, is it spent directly by the District Board or by the Education Department?—By the District Board.

41041. Are there no inspecting officers who are regular servants of the District Board?—Not as a rule.

41042. So that a District Board has to carry on its inspecting work through the servants of the Education Department?—Yes.

41043. Would it be a wiser plan for them to have their own inspecting agency as they have in some other provinces?—No: I do not think it would.

41044. Under the present arrangement has the Education Department too much control over the schools supported by the District Board?—No, I do not think they have.

41045. You would not suggest any change in the present arrangement?—No; except that I would suggest a change in the way in which things are carried out, and that matters should be less rigid; the Education Department is perhaps too much tied by red tape

and by the rules of the code, but I would not suggest any change in the agency.

41046. Unless a District Board had their own agency, could they have their own rules, or could they modify to any extent the hard and fast rules of the Education Department?—No; but the inspectors could have more power to modify them where required.

41047. With regard to village schools is it a good plan sometimes to aid them by giving them a certain amount of money monthly for the payment of teachers, and then asking the villagers to maintain and look after the schools in every way?—That is done, but not quite in the way you mention; that is to say, that we do not ask the villagers to maintain the schools, but where an indigenous school has been started by the villagers themselves or by a private teacher, if it is efficiently managed, it receives a grant-in-aid from the District Board.

41048. In that case who builds the village school house; do the villagers do it, or is there a contribution given for it?—A contribution might be given for it; as a rule a school would not be started until the school house had been built, or it might be located in a house, and if the villagers cared much about it they would arrange to provide a suitable building, but at the same time, if they applied for a building, it would be for the District Board to consider the application.

41049. Is that system of aiding existing village schools largely adopted in this province?—No; I think not largely.

41050. Is it a good system, and should it be generally adopted?—Where people are sufficiently energetic to start efficient schools, it would be an extremely good thing.

41051. You say "What is in my opinion of even more importance than actual delegation of powers is a relaxation of the extreme strictness and rigidity with which the code and regulations are at present interpreted by the Accounts Department." We have been told by other expert witnesses that the Accounts Department and the Accountant-General and the Auditor cannot interpret any rule with any degree of slackness, but that it is their duty to do it with rigidity, and that it is better to make the rules themselves more liberal than to interpret them liberally?—I do not agree with that personally. My own feeling is that the rules have been drawn up with far too great minuteness, with an endeavour to provide for every possible case arising, and the result is that you are bound then to be guided by the actual letter of the rule. I should prefer a very much simpler and shorter code, and I think the Accountant-General, who is an officer of considerable experience, should have much more power of interpreting the rules, more in the spirit than in the strict letter.

41052. But the first part of your answer corresponds with the answers we have received before, namely that the rules ought to be made more liberal and should not be so strict and go into such minute detail?—But if you have the rules very much shorter and not going into such minute detail, and not providing for every possible contingency, the Accountant-General must have power to interpret them as occasion arises.

41053. Do you agree with what the last witness told us as to the men of the class of Extra-Assistant Commissioners being generally reliable and honest and giving satisfaction in their work?—I think they generally are. They have improved very much indeed during my service in India.

41054. Do you also agree in the opinion that dishonesty is rather the exception amongst them?—I think it is.

41055. Have you any preference as regards the method in which they ought to be selected, whether by examination and according to qualifications or by selection from the lower Services?—I think we need both; in fact we have a third method of recruitment, that is, direct nomination without examination.

41056. But with some regard to qualifications?—Of course, but direct nomination enables a Lieutenant-Governor to select now and then a man of good family who perhaps would not have succeeded in the examination, but who at the same time possesses quite sufficient qualifications.

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41057. You have told us that Municipal Committees and District Boards might be utilized as Advisory Councils. Would you, in that case, suggest some modification in the existing District Boards Act so as to enable a District Officer to convene them according to law for advice and consultation?—I do not think any alteration in the Acts is needed for that purpose; it is done to some extent at present.

41058. But in an informal way. Would it not be better, if you are going to make District Boards Advisory Councils, to have it recognized in the law itself?—No; I do not think any modification in the law is needed.

41059. You think informal consultation with the members of a District Board is quite sufficient?—You can have formal consultation at present. It is an open secret that there is at present a scheme for the division of the Lahore district into two parts, and I and the Deputy Commissioner were told to ascertain the local opinion on the subject. The proposals were formerly put before the District Board and discussed at considerable length by them, and in the end formal resolutions were recorded, and there is nothing in the Act to prevent similar action in other cases.

41060. But there is nothing in the Act sanctioning that being done?—No.

41061. Do you think that sort of consultation is quite enough, and no change in the law is required at present?—I think no change is required.

41062. (Mr. Hichens.) You refer to Local Boards as not having been a success in the Punjab. What Local Boards have you in mind?—When the system called Local Self-Government was introduced 25 years ago, the plan that was adopted in most districts, or in many districts, was to first elect a Local Board for each *tahsil*,—generally one member from each *zail*,—and then the District Board was constituted, by delegation of certain members from each Local Board, together with the direct appointment of certain members nominated by Government; and it is these Local Boards which I was referring to.

41063. Do they exist in any part of the Punjab?—Yes, in some parts. I think in most districts they have now been abolished.

41064. Is it your opinion that they have been a failure?—As far as I have had any experience of them, I think they have been of very little use. We have found it impossible to give them sufficient work to do. It has been found difficult to give them any financial powers, and all they have been used for is, really, as consultative bodies for the local area.

41065. Is the reason for that, that the district itself is not a very large area, or is there any other reason?—The District Boards have the financial powers for a district, and we have not seen our way to giving Local Boards any special financial powers.

41066. But supposing the districts had been three or four times as large, might there not have been an opening for those Local Boards as well?—Yes, perhaps so.

41067. Would it not have been possible to have earmarked a proportion of the cess for each Local Board which they might have used? Was that alternative ever discussed?—Not that I know of.

41068. Was the reason because it was not known what the cess was likely to be?—I think not. The Local Board, or *tahsil* Board, is really too small, and too unimportant, to have had these powers given to it.

41069. Speaking generally, would it be desirable to simplify the financial relations between District Boards and the Government?—I have no suggestions to make with that object.

41070. But, as a principle, would you say that they should be on clear lines, so that any body could understand what they were for himself?—Yes, it would be an advantage if that could be done.

41071. At any rate, one witness, if not more, who was a member of a District Board, had no idea what the financial relations were. Is it desirable to have some simple form of division of financial resources between the two which would be intelligible to the man in the street?—It certainly is desirable, but, at the same time, I am not sure that the man in the street would take very much interest in it.

41072. Supposing a simple rule was laid down, that the district cess was a local tax, and the proceeds of it were given to the District Board, without reduction; would that not be a fairly simple plan?—Yes.

41073. Would it be workable, or would it give a Board too large a revenue for the work which they have to undertake?—It could be probably very well spent, but at the same time Government have, within the last two or three years, given a fairly liberal grant to District Boards for expenditure on special objects.

41074. Did not the Government of India make a definite grant to the Local Governments to distribute among the district bodies?—Yes.

41075. Would it be a desirable principle to lay down that a District Board should be responsible not merely for paying for services, but for carrying them out administratively as well as financially?—It is very difficult to make a District Board responsible for services which require professional experts, such as the management of dispensaries.

41076. But it is not found difficult in other countries?—In other countries there are a large number of medical men who are not Government servants; there are very few men in this country who are not.

41077. Would it not be possible for a District Board to appoint its own Medical Officers?—Quite impossible; there is not a sufficient supply of Medical Officers here who are not Government servants.

41078. In regard to other matters, such as education, would it be possible for them to provide teachers?—They do at present provide them in primary schools.

41079. Would it be possible for them to provide inspectors?—No; I do not think so; it would be difficult.

41080. Could they not select their own inspectors?—They might find inspectors, but I would not recommend it on other grounds.

41081. You think, in regard to matters of education, it is desirable that the Government should retain the control they have to-day?—Yes, I do.

41082. In the Lahore municipality, I understand that the number of elected members and nominated members is about two thirds and one-third, roughly?—I think that is so.

41083. Does the same proportion apply, roughly, throughout the Punjab municipalities?—I would rather speak with regard to my own division. It is the fact that, with regard to nearly all the municipalities in the Lahore Division, two-thirds of the members are elected.

41084. We are told that, generally speaking, the elected members are on the whole unsatisfactory; that is to say, that the methods which it is necessary for them to have recourse to to gain election are of a somewhat doubtful character, and that the better and more prominent citizens do not stand for election. Therefore, comparatively speaking, there is an undesirable class of people who get in. Is that the case generally; I think that is very frequently the case, but, on the other hand, that tendency is modified by the fact that the candidates very often arrange amongst themselves who will be elected, and there is very frequently no election at all.

41085. (Mr. Meyer.) Is there not a story, that once on a time some ward in Lahore elected a Government *chaprasi* as its representative?—As far as I know, I think that is not correct.

41086. Do you have any conference of Commissioners in this province?—We have never had any that I know of.

41087. Conferences of Commissioners are held in Bengal and Eastern Bengal once a year, where they discuss the general affairs of the province, and which the Secretaries of Government and Heads of Departments attend, with selected non-officials. Would that be a good plan here?—Yes, I think it would be, and it might be usefully tried.

41088. Have your powers of giving grants for minor Public Works been recently increased from Rs. 500 to Rs. 2,500?—I do not think orders to that effect have been issued yet.

41089. Do you get lump grants for the purpose?—Yes, something very small. I got Rs. 3,000 last year.

41090. In Bengal each Commissioner has two lump grants of Rs. 10,000—one for minor works and the other for grants-in-aid to municipalities or Local Boards in his division. Do you have anything of that sort here?—The Government of India two or three years ago made several grants to the province, and those were allotted to Commissioners for distribution to District Boards.

41091. Are you speaking of the quarter extra on the land cess?—I do not know how the amount was calculated, but I had a grant of something like Rs. 25,000 for the encouragement of veterinary objects and another grant for the encouragement of arboriculture.

41092. Those were relatively small grants. Some three years ago the Government of India put the provincial Governments in funds for contributing to the District Boards one-quarter of the amount they got from the land cess. Do you know how that amount was distributed?—I think that a lakh or a lakh and-a-half is given annually for arboriculture: I get Rs. 30,000 of it, and, as I say, I get Rs. 25,000 for veterinary objects; and I get something like Rs. 30,000 a year for the improvement of the engineering establishment of District Boards. The total grant to the division comes to something less than a lakh a year.

41093. This special Government grant was intended mainly for roads and communications generally. Did you get anything special for that?—No; not directly. The amount given for roads is ear-marked, and roads are gradually constructed by the Public Works Department and paid for out of this grant. The rule is that a certain number of roads are paid for half from the ordinary provincial finance and half out of this special grant made for roads.

41094. Were those roads formerly paid for by the District Boards?—No; these are new roads, or probably unmetalled roads made into metalled roads.

41095. When they are finished, will the District Boards have to manage them?—I cannot answer that question.

41096. With reference to the position of Commissioners, it has been suggested elsewhere that the powers of a Commissioner might be very considerably increased, and that he might be made more of a Sub-Governor, having actual administrative powers—for instance, that he should have a budget of his own, and the allotment of a great deal of the present Public Works expenditure; that he might have control over educational operations, and so on, and have the various departments more under his hand. Would that meet your views?—The possibility of doing that would depend very much upon the possibility of decentralizing the departments. It would be no use, for instance, putting the Superintending Engineer in more direct subordination to the Commissioner unless the Superintending Engineer were himself given very much larger powers; and I find it extremely difficult to say whether it is possible to give those officers very much larger powers.

41097. Is not the question of giving a Superintending Engineer very much larger powers of sanction than he now has under consideration, at the instance of the Government of India?—I think, if Departmental Officers who have control over areas similar to those of the revenue division were given very much larger powers, it would be also possible to give the Commissioner, in the same way, very much larger powers of control.

41098. Admitting that hypothesis, would you be in favour of it?—Yes, I would.

41099. The present Heads of provincial Departments would then become more of inspecting officers, who would tell the Lieutenant-Governor what was being done, and advise him on questions relating to the divisions?—Yes.

41100. Would you be in favour of giving Commissioners the power to appoint tahsildars, taking them on divisional lists instead of by the provincial lists?—Yes; I think I would.

41101. When you have an Assistant or Extra-Assistant Commissioner posted to your division, do you settle in what particular district or in what particular capacity he is to be employed?—That is the rule in this province, but it is found, for what reason I do not know exactly, impossible to work in practice.

41102. As a matter of fact, I take it that Mr. Smith, an Assistant Commissioner, is gazetted to (say) the

Jullundur division, but not to any particular district?—Assistant Commissioners are very few and far between, but, taking Extra-Assistant Commissioners, they are simply gazetted to a district. The Commissioner has power to transfer any officer from one district to another in his division; but, as a matter of fact, the Secretariat moves them about from one district and one division to another; and the result is that, if the Commissioner wishes to transfer an officer, it is not much use his ordering a transfer without first finding out from the Secretariat whether they have any intention of transferring him.

41103. Assuming the position was that a man was moved to a division, and would not be moved out of it unless the Commissioner was referred to, do you not think it would be advisable that the Commissioner should have authority to post him within it?—There are many advantages in it, but the disadvantage I see at the present moment is that it might tend to narrow the experience of Government officers by confining their experience to one division.

41104. As regards the appointment of members of District Boards and municipalities, who appoints them, you or the Government?—Under the Act, the Government appoints them. The Government has, in some cases—I think in the case of minor municipalities—delegated the powers to Commissioners.

41105. And with regard to District Boards?—I do not think the District Boards Acts enables the Government to delegate the power of nomination.

41106. Apart from what the law lays down, might not a Commissioner exercise those powers?—Yes; he might well do so.

41107. And, speaking generally, in regard to everything where outside control by Government over a local body is required—except, of course, in the vital matters of constituting or abolishing—might not the Commissioner deal with the matter, instead of Government, except, perhaps, with regard to big cities such as Lahore or Amritsar?—Yes, I think so.

41108. Do you get many budget references from District Boards and municipalities? Have you to pass the budgets of all of them?—Yes.

41109. Do they go on to Government afterwards, or is your passing final?—I think my passing is final.

41110. Are you much worried with re-appropriations; do they have to come to you if they want to re-appropriate within the budget—say from education to sanitation, or *vice versa*?—Yes, they do.

41111. When they want to appropriate from balances have they to go to you?—That has to go to Government.

41112. Is that necessary? Do you not lay down a normal balance which each District Board or municipality ought to have in hand?—Yes. I do not think it is in the least necessary, from an administrative point of view, to require a local body to obtain the sanction of Government to draw upon its balance; I do not know whether it is necessary from a financial point of view.

41113. Are these sanctions for re-appropriations necessary?—No; it is purely a formal matter.

41114. Have questions with regard to new works to come up to you, apart from the budget? Supposing a municipality wants to make new latrines, at a cost of, say, Rs. 3,000, would that have to come up to you?—Yes.

41115. What is the limit in regard to sanction there?—I think the limit is, in the case of first-class municipalities, Rs. 5,000; works costing Rs. 5,000 in a first class municipality have to be sent up for the sanction of the Commissioner, and in a second-class municipality the figure is Rs. 2,000. In the case of a first class District Board no original work involving an expenditure of Rs. 5,000 or upwards, and in the case of a second-class District Board involving an expenditure of Rs. 2,000 or upwards, can be undertaken until the administrative sanction of the Commissioner has been obtained.

41116. What is the difference between a first-class and a second-class District Board?—I am afraid I cannot say off-hand what District Boards are first-class and what are second-class. Certain District Boards have been classed by Government as first-class.

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41117. Apart from the specific matter of referring works, is there any great difference in their powers or functions?—I do not think so.

41118. We were told that every new appointment of over Rs. 20 had to go for the sanction of the Commissioner; is that so, apart from your passing of the budget?—That was required by the Commissioner of the old Rawalpindi Division some time ago.

41119. It is not a matter which the Government have laid down, but an idiosyncrasy of some individual Commissioner?—Yes.

41120. Is there any general restriction with regard to it?—No; except as regards the Secretary of a municipality.

41121. Has his appointment to be approved by the Commissioner?—I think so.

41122. You are speaking now of the filling-up of an existing appointment, but supposing a fresh clerk at Rs. 30 was wanted, would the municipality have to go up for specific sanction for that?—My answer to your question should have been that in the old Rawalpindi division the Commissioner passed an order requesting that no new appointment, and no increase of pay to existing appointments, should be made by the District Boards or municipalities throughout his division, without previous reference to him, but I have no knowledge of any division or district in which the actual appointment has to be sanctioned by the Commissioner.

41123. What is the general practice; have the local bodies a free hand, or have they to go up?—The general practice is that the Deputy Commissioner and the Commissioner can exercise control over the proceedings of a District Board or municipality, and if, at the time the budget came up, the Deputy Commissioner or the Commissioner thought it was providing far too high pay in any particular post, or too many new appointments, he would then object.

41124. The control is exercised practically through the budget?—Yes; the Commissioner does not have the opportunity otherwise of exercising it.

41125. (Sir Steyning Edgerley.) Do you consider that the new Act as to the Court of Wards was a mistake?—I consider it was a mistake to make the Financial Commissioner the Court of Wards.

41126. Is there, under the Act, a delegating section which enables him to divest himself of all the control which he did not exercise previously?—He can delegate specific powers, and he has delegated specific powers, and I have recently received a reference asking for my opinion on a proposal to delegate a large number of other powers, but the difference is that, under the old Act, the Deputy Commissioner was the Court of Wards and had the final authority, except with regard to certain specific matters, in which the Financial Commissioner or the Commissioner exercised certain control. Under the present Act the Financial Commissioner is the Court of Wards, and the Deputy Commissioner can only exercise specific delegated powers the result being that those powers have been delegated in immense detail.

41127. But exactly the same result may be arrived at under the new Act as existed under the old?—No; I think the Financial Commissioner himself has, as the Court of Wards, far more responsibility.

41128. And, therefore, the Act has tended towards centralization?—I think so.

41129. Were there, previously, any complaints of failure of the Act, owing to the lack of control over the Deputy Commissioner?—Not to my knowledge; presumably people make mistakes in every department.

41130. With regard to the giving of a stronger administrative position to the Commissioner, it has been suggested that it would tend to that end if all financial sanctions came to him rather than to the Head of the

Department, in these outside special departments, and that he should hold the purse all through. Would that be a good thing? The policy underlying the suggestion was to convert the Heads of these Departments rather into officers who would advise the Deputy Commissioner and the Commissioner, instead of themselves having the ultimate power?—I quite agree that we have recently gone too far in the direction of giving financial control to the Heads of the Departments to which you refer.

41131. Have the Commissioner and the Deputy Commissioner been much divorced from the work of the police lately?—Since the report of the Police Commission was published, there has been a new Resolution, making the police much more independent of the Commissioner and Deputy Commissioner than they were.

41132. Has that been beneficial to the general criminal administration of the province?—I am inclined to think, on the whole, that it has. It is very difficult for men to do their work unless they feel a certain amount of independence.

41133. Have you still all the powers as to using the force, in a general way, that you think necessary in a district or division?—I think so.

41134. Do no appeals come from members of the force to either the Deputy Commissioner or the Commissioner now?—No. Some years ago, in 1898, I think, the Punjab Government issued a Resolution under which certain cases—that is to say, cases in which the public were concerned in proceedings against members of the police—went to the Deputy Commissioner, and, if of sufficient importance, to the Commissioner, as well as to the local police officers, and the Commissioner and the Deputy Commissioner had the opportunity of recording their remarks upon the proceedings; but since the Police Commission and the Resolution of 1906 that procedure has been done away with.

41135. Is that a change for the better?—It is difficult to say. The procedure by which these proceedings came to the Deputy Commissioner and the Commissioner, and by which they interfered more in the *personnel* of the police, was not good, on the whole, for the police.

41136. You would not suggest that all appeals from punishment should be finally settled by either the Deputy Commissioner or the Commissioner, according to the grade of officer?—No.

41137. Is it any benefit to local self-government that, when a technical piece of work is to be done, the Boards should do it themselves?—I think they should do it themselves if they have a competent establishment.

41138. Assuming that they have the power of administration, sanction, and control of the purse, and ways and means, is there any special advantage in their actually doing a particular piece of technical work—manual or other labour—themselves?—I think they had much better do the ordinary Public Works, which they do at present.

41139. Suppose they want to erect a building, does it matter one iota, with regard to local self-government, whether they erect the building themselves, or give it out to contract, or even arrange with Government to do the work, if they have power to provide, or refuse to provide, the money?—I think, if the building is within the competence of their own establishment, it is much better that they should either do it themselves, or let it on contract.

41140. You mentioned the possible partition of the Lahore district; has the alternative been considered of giving a wider municipal constitution to the Lahore city, with a separate Executive Officer?—Yes; but we feel that that would still leave too much work to the Deputy Commissioner and the Superintendent of Police.

(The witness withdrew.)

Mr. W. H. MICHAEL was called and examined.

Mr. W. H.  
Michael.

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41141. (Sir Frederick Lely.) You are the Accountant-General in the Punjab?—Yes.

Each Civil Account Office has a scale of Gazetted Officers fixed for the work to be supervised and turned out. The Punjab has—1 Accountant-General, 1 Deputy Accountant-General, 3 Assistant Accountants-General for the office work, 1 Assistant Accountant-General for

local audit, and 1 Chief Superintendent. The above staff controls the audit and compilation of the accounts of the North-West Frontier Province also since its creation in 1901-02.

The work of a Civil Account Office is divided, for purposes of effective control, into departments, each having a superintendent and assistant superintendents.



to check and supervise the work of the assistants charged with the duty of audit and compilation of the accounts received from all the treasuries in the Punjab and the North-West Frontier Province.

The Departments in this office, which are in charge of superintendents, are Budget; Resource; Book and Compilation, including Accounts Current; Treasury Account Department divided into 8 sections, each under a superintendent or assistant superintendent; Gazetted Audit Department with pre-audit of Lahore headquarters payments; Pension Audit and Report on claims to pension; Forest and Record and Copying. Besides the above there is the Lahore sub-circle of currency of which the Accountant-General is the Deputy Commissioner of Paper Currency.

The Accountant-General's general duties, with the general restrictions on his powers, are given in Articles 1634 to 1636, chapter 77 of the Civil Account Code. The scope and nature of the operations of the office of the Accountant-General or Civil Accounts Department in the Punjab are the same as those sketched in chapter 70 of the Civil Accounts Code, volume II, particularly articles 1442 to 1449, 1454 to 1459, 1463, 1464 and 1467.

There is no doubt that a more complete separation *might* be effected between imperial and provincial finances; whether it is necessary is another question. At present the Imperial Government makes a provincial settlement under which certain heads of revenue, and most of the heads of expenditure are assigned to the control of the provincial Government. Besides the above, certain heads of revenue and a few heads of expenditure are shared in varying proportions. Under this arrangement the provincial expenditure exceeds their share of receipts, and the Imperial Government makes a contribution to secure equilibrium. This arrangement might be reversed, making all revenue and most of the expenditure heads provincial and retaining as imperial those heads of expenditure which are imperial in character such as the Army. To meet the expenditure under such heads as it is considered necessary to classify as imperial, and to cover the cost of the Supreme Government, a settlement might be made with the provincial Government under which either a fixed contribution or a fixed proportion of the gross revenue of the province could be assigned to imperial, subject as now to a revision of the settlement whenever necessity may demand it. Whether such a reversal of the present system is called for or desirable opens up a large question, and is a matter for serious consideration. I have merely indicated how such further separation might be effected. It would no doubt admit of larger financial powers being exercised by provincial Governments and enable them to have a free hand in the management of their resources. In this connection I would observe that in the North-West Frontier Province, in respect of which I am also the Account Officer, all the revenue and expenditure are treated as imperial, as no provincial settlement has been made. I think the time has now arrived when that province may be placed on a similar footing with the Punjab in this respect.

I certainly think that further financial powers should be delegated both to provincial Governments and to officers subordinate to them. This can be done by relaxing many of the restrictions contained in the Civil Account Code and the Civil Service Regulations. Certain proposals by my predecessor, Mr. Brigstocke, are included in the abstracts of proposals prepared by the Punjab Government. Generally speaking, I agree with Mr. Brigstocke's suggestions, and only propose to make the following observations:—Referring to the proposal to relax some of the restrictions imposed by rule 4 of article 283 of the Civil Account Code, I would remark that the Secretary of State has recently conferred enhanced powers on the Government of India in respect of the creation of new and temporary appointments, and it should therefore be possible to give Local Governments greater powers under article 283-84, clauses (3) and (4). With regard to the proposal to raise the monetary limits in article 989 of the Civil Account Code from Re. 1 and Rs. 10 to Rs. 10 and Rs. 50, I would observe that these limits were raised to Rs. 10 and Rs. 25 more than a year ago. Personally I think the limits are still inadequate, and might safely be raised to Rs. 50 and Rs. 100, respectively. I would also suggest that every Accountant-General should be allowed to entertain temporary establishment up to a certain limit in his own office. At present this power has only been

delegated to the Accountant-General, Bombay (article 1674 of the Civil Account Code).

I agree that the contract system of contingent expenditure might be considerably extended, and the submission of countersigned detailed bills might be dispensed with in most cases. The countersignature of the Controlling Officer is purely formal in most cases, and the adjustment of the expenditure in the audit office is frequently delayed by the late submission of countersigned detailed bills. I also think that sanctions to incur expenditure should not necessarily lapse if not acted upon before the 31st March, when the sanctioned budget becomes inoperative. It frequently happens that grants are made at such a late period of the year that disbursing officers find it impossible to spend the amounts before the 31st March, and sooner than allow the grants to lapse they draw the amounts from the treasury in contravention of article 84-A of the Civil Account Code.

In the matter of travelling allowance bills I would advocate the abolition of rule 1 under article 1163 of the Civil Service Regulations, which lays upon the Audit Officer the duty of checking distances by road by means of polymetrical tables, &c. The District Officers are in a much better position to know whether the distances entered are accurate. The time occupied in the Audit Office in attempting to check the distances entered in travelling allowance bills with the polymetrical tables or route books is quite incommensurate with the results obtained, and the correspondence and friction that not unfrequently ensue.

Article 1635 of the Civil Account Code says that the Accountant-General is bound to ascertain that rules and orders are exactly obeyed in every instance, and to check every departure from them, *however apparently trifling*. This article leaves the Accountant-General no discretion in such matters, and in many cases he is compelled to raise objections for very trivial reasons. It is therefore very desirable to reduce the scope for such objections to a minimum, by modifying and relaxing the restrictions contained in the Civil Account Code and Civil Service Regulations as far as may be deemed consonant with safety and common-sense.

There is one more direction in which some further attempt at decentralization might perhaps be made, and that is in the matter of accounts. Some two years ago the forest accounts were decentralized, and they are now audited and compiled in each Accountant-General's office. It is for consideration whether the accounts of the Postal and Telegraph Departments, and possibly also of the Public Works Department Ordinary Branch (not the Railway Branch), could not be similarly decentralized, and audited and compiled in the Civil Account Office of the province. Under such a system a number of the existing exchange accounts could be abolished which would conduce to saving in time and labour, and probably also to economy in the matter of establishment. It is possible that this question may have been previously discussed and considered impracticable.

41142. When a provincial budget goes up in January for the first time to the Government of India, does the Government of India often make changes in it?—Yes; very frequently.

41143. With the object of correcting the estimates mostly?—Yes.

41144. Does it often make any other changes besides the mere correction of estimates?—Under the new orders that have just been issued it makes reductions on account of what are called probable savings; it does make other changes as well. It makes reductions on account of items which it considers have wrongly been included in the budget by the Local Government, that is to say, items which are doubtful, items which have not been sanctioned, and as to which it is doubtful whether they will be sanctioned.

41145. Items which they consider of doubtful expediency?—Yes.

41146. Are most items within the power of the provincial Government to sanction under 10 lakhs?—May I quote a case. The Government of the North-West Frontier Province included a sum of Rs. 60,000, I think it was, for the militia, on the understanding that this would probably be sanctioned during the year. The Government of India struck out the item because

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they did not think that matters were sufficiently advanced for the expenditure to be incurred during the year. That is quite different from what are classified as probable savings. It was struck out from the budget entirely.

41147. The North-West Frontier Province would be on a different footing from the old provinces?—It would, of course, to the extent that expenditure is entirely imperial; but I was quoting that as an instance.

41148. Are changes often made in the budgets of the old provinces such as to involve a disallowance of the policy of the province?—I have a statement prepared of the present budget for 1908-09. Deductions made by the Government of India for probable savings come to Rs. 2,64,000.

41149. What is the nature of those?—These are chiefly due to alterations in policy. For instance, under "education" there is a reduction of Rs. 6,000; under "medical," there is a reduction of Rs. 12,000; under "scientific" there is a reduction of Rs. 27,000. Those are all due to the recent orders of the Government of India that these are not to be shown. These are contributions from local bodies for those special purposes.

41150. That is a mere matter of form of account?—But they have been deducted; the budget anyhow stands at a figure reduced by these amounts. Then there is also a large reduction of 2 lakhs under "famine." At the time the budget was framed by the Local Government they had every expectation of famine being somewhat severe, and they included a sum of 5 lakhs under that head; by the time the estimate reached the Government of India the conditions had altered to some extent. Reasons were not given, and the Government of India made the reduction of 2 lakhs without reasons; but the reasons obviously were that they considered that conditions had improved, and that it was not necessary to retain the larger figure.

41151. None of those changes involve any interference with the independence of the provincial Government; nothing has been struck out on the ground that the Government of India does not consider it advisable to incur expenditure on that particular item?—No; not this year.

41152. But do such emendations occur?—I suppose they would occur if the Local Government included items which they ought not to include. The orders are that items which the Local Government have no power to sanction themselves, and which have not yet been sanctioned by the Government of India, should not be included. Sometimes they do include items, and add a note to the effect that proposals for sanction have gone up. I generally allow those items to stand, and make a note in the budget notes to the Government of India that the matter is under consideration; then the Government of India consider the matter, and if they have settled by that time that the expenditure will be sanctioned, they allow it to stand.

41153. As to expenditure which does not exceed the limits, the Government of India would not take advantage of the sanction of the budget to exclude items and so interfere with the policy of the provincial budget?—It is rather difficult for me to answer for the Government of India, but I should say that they probably would not; I cannot call to mind any instances of their having done so.

41154. Would you approve of substituting a simple account audit for the District Boards instead of the cumbersome and subtle Civil Account Code?—Certainly; I think it would be an excellent idea.

41155. Several witnesses have said that they thought that proposition statements might be dispensed with or cut down as they caused an immense amount of trouble; would that be feasible?—I hardly see how it could be done; the Account Office must have some record for the purposes of audit. I do not quite know why there should be any very great difficulty in that respect.

41156. The slightest change of a clerk on Rs. 10 who is proposed to be added to an office involves making out a complete statement of every person in the office, which, if the office is a large one, involves an enormous amount of labour for very little result?—Possibly some simplification might be made in the

matter of proposition statements. I have not considered the question, but I do not see why it should not.

41157. (Mr. Hichens.) As to proposition statements, has not a complete list only to be made out in regard to the section of the office affected, not for the whole office; the office may be divided into four sections, and if a change is proposed in regard to one section, is not the statement only made out as to that one section?—That is so. Details are only required in respect of the section affected. For the other sections only totals without details need be given.

41158. And that is no trouble?—No.

41159. Are they very bulky statements?—I think not as a rule.

41160. Do you audit the municipal and District Board Accounts?—No; that is not done in my office; that is done locally. We have a staff called the Local Audit Department who go round. Formerly it was done in the central office; about four years ago the local audit was introduced; that is, a staff of peripatetic officers, under an official called the Examiner of Local Accounts; they go round and audit the various municipal and Local Board accounts and Cantonment funds.

41161. Are they under you?—They are all under me; they are called the Local Audit Branch.

41162. Then it is no longer necessary for Local Boards, and so on, to send up to you a monthly statement?—No; that has been discontinued now that they have been changed to Excluded Local Funds.

41163. Does the new system answer more satisfactorily?—If you mean is Local Audit preferable to Central Audit, I certainly think it is, in their case.

41164. Your officers are able to give advice to the Local Bodies on matters of account?—Certainly.

41165. Do they do that freely?—Yes. The proper officer to be asked, of course, is the Examiner; the Local Auditor gives his advice to the best of his ability; but he is only a man on about Rs. 150 a month, and his opinion cannot always be taken as correct.

41166. How often would the Examiner go to see the District Board or municipality?—He tries to pay a visit to them all during the year, but that is rather a tall order as you may understand. There are about 400 accounts or more, including those of municipalities and District Boards in these provinces which are under his audit.

41167. Local Audit in these provinces is still in its infancy?—Not quite, but we have only just finished the first round; it took over three years to get all round.

41168. Are the Local Auditors responsible for seeing that the regulations and laws are not infringed from the financial point of view?—My view is that the Examiner of Local Accounts ought to see that they are not infringed, and if they are infringed he ought to say so; but we have just recently had a little friction with the Local Government on this subject. They say "All we want is to have defects pointed out, and your business is done with then. It is for the Deputy Commissioner or for the Controlling Officer to say that such and such a thing should be attended to." I am in correspondence with the Local Government now; and I do not quite know whether they are going to adhere to that view. Two or three Deputy Commissioners have felt that the Examiner of Local Accounts was trenching somewhat on their prerogatives in making certain remarks in his audit reports. It is very difficult to avoid little matters of friction of that sort, but I think the matter will terminate satisfactorily. I believe I am right in saying that at home the Government Auditors have very large powers, and they are entitled to say that such and such a thing shall be done, without going up to Government.

41169. Would it be possible to extend the powers of municipalities, and give them a comparatively free hand in the working of their own affairs, provided that you had a powerful audit staff or inspecting staff which went round and saw that they did not infringe the laws and regulations that were laid down?—I personally think it would be a very good move. The

whole matter of expenditure, of course, is an administrative one; it is for the Local Government to say what they want done in the matter; if they wish, they can free the municipalities from any control of the Commissioner; the Commissioner is the Controlling Officer.

41170. But it would be quite possible for you, with an audit staff, to see that they did keep within the regulations laid down, from the financial point of view?—I think so.

41171. You suggest with regard to the Public Works, Ordinary Branch, that there might be some decentralization there as regards accounts?—It is rather a complex question, and I really should hardly like to express an opinion upon it. Probably the matter has been considered before; I do not know whether it has been considered by the Government of India or the Comptroller-General, Forest Accounts, have been decentralized now; they are audited in our office, instead of, as formerly, in the Comptroller-General's office.

41172. You would rather not express an opinion as to whether it would be desirable with regard to Public Works?—The only objection I can see is that it might make the Accountant-General's office rather unwieldy.

41173. What would be the advantage?—The advantage would be that you would do away with a large number of exchange accounts, and probably it would result in economy in establishments; the charges would all be brought to book in the civil accounts in the Accountant-General's office.

41174. You think that the establishment of the Secretary of Public Works to the Government of India might be reduced on the account side?—I think a reduction might be possible in the Public Works Department Accounts office.

41175. (*Mr. Meyer.*) The Public Works and Postal and Telegraph Accounts all deal with technical matters, about which you require some technical knowledge?—That is true to some extent.

41176. What is the advantage, therefore, of putting them into your office, when you have not the technical knowledge?—The advantage would be that it would enable us to do away with exchange accounts altogether.

41177. But you counterbalance that by getting more objections and more friction, owing to want of technical knowledge of the staff that is dealing with them?—The same might be said of forest accounts. There is a certain amount of technicality in forest accounts, and yet it was considered advisable to decentralize those.

41178. Still, there is that objection on the other side?—Yes.

41179. You do not propose to take over the military accounts?—No; that would be too big a business altogether; nor the Railway Accounts Section of the Public Works Department.

41180. With regard to District Board and municipal accounts, are there not rules and manuals?—Yes.

41181. Who drew those up?—The Municipal Accounts Manual was drawn up by Mr. Tomkins, the Examiner of Local Fund Accounts.

41182. And the District Board Manual?—That is now under revision; there have only been a set of rules hitherto. The District Board rules were issued by the Local Government.

41183. Have these manuals and rules applied the same system of minute audit and requirement of vouchers, and so forth, as exists in Government treasury transactions?—Yes.

41184. Is that advisable in the case of these municipal and local bodies?—I do not think so; but as regards the Civil Service Regulations, the Punjab District Board Act says, in the case of an officer or servant, not being a Government official referred to in section 28, a District Board may grant him leave allowances, and so on; then there is a proviso, "Provided that no pensions, gratuity, leave allowance or annuity shall exceed the sum to which, under the Government Civil Pension and Leave Codes for the

time being in force, the servant would have been entitled if the service had been service under the Government."

41185. And that has been translated, in practice, into applying all the mass of regulations that the Government of India issued for its own Services to this municipal Service?—Yes.

41186. Would it be quite sufficient to apply the general principle, *e.g.*, that where the Government rule is one month's leave a year, you should not allow a municipal man six weeks?—Quite so. A very simple code might be drawn up, based upon the broad principles of the Civil Service Regulations.

41187. We were told in other provinces that the Examiners of Local Fund Accounts went round, and they produced a lot of objections by reason of these elaborate manuals, pointing out that there was not a voucher for the payment of a rupee, and so on. Do you have that here?—The Examiner of Local Accounts here has recently exercised a certain amount of discretion, and dispensed with vouchers for small items under Rs. 5; he had no authority to do so, but he was convinced it was impossible to expect vouchers for small items in all cases, so he dispensed with them on a certificate by whoever was in authority that the expenditure had been properly incurred.

41188. The amount of detailed control would be for the Local Government or the Commissioner, as the case might be?—Yes, it is a purely administrative matter.

41189. In the same way with regard to your audit objections; your man says that charges A, B, and C have been irregularly incurred and they must be covered by sanction; then what is the position of the Local Government? Is it that no sanction need be given?—As I understand it, what they wish is that we should point out defects, and not offer any criticism whatever; we are not to say that the supervision is not good, or that the members do not seem to take sufficient interest in the working of the municipality or District Board, as the case may be; and apparently their position is that we should merely point out defects, and leave it to the Controlling Officer to see that these are remedied.

41190. Those are general remarks, but the essence of any audit is to point out that such and such charges have not been covered by sanction or have been irregularly incurred. Do they take any objection to your putting that forward?—No.

41191. Then when you have done that, the sanction must be given or the money recovered from the person responsible for spending it; is there any difference of opinion about that?—None.

41192. It is suggested by one of the witnesses, Mr. Russell Stracey, that you should apply this system of peripatetic audit to the Government treasuries; would that be possible?—No.

41193. Are the transactions too elaborate?—We should require to have a very large staff to do it. I do not think the Accountant-General from headquarters could undertake that.

41194. Would you gain anything by it if you had the staff?—I do not think we should gain anything by it; the District Officers would gain to a certain extent by being relieved of responsibility.

41195. How would they be relieved of responsibility?—I take it that the suggestion is that the Accountant-General should be responsible for the working of the treasury.

41196. That was one suggestion, but I was taking the other point, that the *post*-audit that is now carried out in the Accountant-General's Office, or the *pre*-audit sometimes, should be replaced by a peripatetic audit as in the case of local and municipal accounts. Do you think that possible, considering the enormous bulk of the Government transactions?—Personally, I do not think so.

41197. Now, take our own Civil Account Code; are there not two bulky volumes of that, supplemented by a Treasury Manual issued by the Accountant-General for each province?—We have not got the latter here; at present we have only got Standing Orders, which are now under revision.

41198. A great portion of that deals with matters which are not of importance in imperial finance at all;

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are they not details with regard to formal vouchers, and details of formal returns, and so forth?—Yes.

41199. Might you not replace the Civil Account Code by a much smaller code, which should contain everything that is necessary from the imperial finance point of view, and leave other matters to be dealt with by the Local Government and the Accountant-General in consultation, with a reference to the Comptroller-General, or to the Government of India, in case the Accountant-General thinks that some particular method is necessary for the safety of audit and the Local Government does not agree with him?—It would be quite possible.

41200. We have had a great many complaints, as to vouchers and as to counter-signature by one officer of another's travelling allowance bills, and so on. Are not those all matters for the Local Government to determine?—Yes; the countersignature matter refers to the Civil Service Regulations.

41201. Anyhow, it is laid down in one section or other that the Local Government is to determine who the Controlling Officer is to be?—Yes.

41202. Therefore, if there are these needless formalities, it is the fault of the Local Government?—Yes, except that the rule says there must be a Counter-signing Officer; the Local Government may say who is to countersign, but the Civil Service Regulations say that there must be countersignature.

41203. A man might be his own Countersigning Officer?—Yes.

41204. Sir John Hewett referred to the large amount of work called for under the audit Regulations, and thought that much might be gained by a simplified code; do you agree with that?—Personally, I think that the whole Civil Service Regulations require remodelling, and that they might be made much simpler. By a natural process of growth they have attained a very large volume, and they are very nearly as intricate as a legal code; and not only do the officers to whom they apply not understand the regulations, but they frequently give the account office very considerable trouble to interpret them. If they could be remodelled and simplified, it would be an excellent thing. I am almost inclined to think that the Civil Service Regulations are more in need of remodelling than the Civil Account Code.

41205. You would like them to be cut down to more general principles, with larger latitude to the Local Government to act within those principles?—Yes.

41206. Apart from that, in every audit office you get zealous clerks who send you up an infinity of objections, many of them technical; do you always abide by them, or do you sometimes ignore a mere technical objection?—Personally, I ignore them very often, but I do so at my own risk; and one cannot expect one's subordinates to take that risk as a rule.

41207. You refer to orders passed about two years ago raising the discretionary power of Accountants-General in the case of mere technical irregularities. You say the limits were raised from Re. 1 and Rs. 10 to Rs. 10 and Rs. 50, 'but this fact appears to have been lost sight of owing to no correction slip to the code having been issued'?—I mean there that Mr. Brigstocke lost sight of it in his note; he mentioned the limits of Re. 1 and Rs. 10, but no correction slip was issued, and I presume that is what misled him.

41208. But you are acting on it?—Yes.

41209. You suggest now that those powers should be raised, respectively, to Rs. 50 and Rs. 100. Would that not possibly tend to interfere with the necessary strictness of the Accountant-General and Audit Officers; might it not allow sums to be written off to avoid the trouble of further correspondence and objection?—That would be so with our present limits; it is a question of how much you are going to trust your Audit Officers; that is what it comes to.

41210. Still, as a man of the world, looking at it generally, is there not that possible danger? If you run up your sums too high, is it not possible that, for the sake of peace, Audit Officers will assent to irregularities that really ought to be brought to notice?—I hardly think that the limits I have suggested are so high as to render such a thing likely.

41211. Rupees 100, for instance, would cover most things with regard to the salaries of most clerks?—He has to report Rs. 100.

41212. Rupees 50 would cover a good many clerks?—So would Rs. 25. As far as that goes, we have a number of clerks on Rs. 20 in our office.

41213. You are in favour of extending the contract contingency system in office?—I think it might be extended.

41214. How far would you be prepared to go. Would you put all a man's expenditure into the system, or what general line of demarcation would you have?—I think that is a matter of detail that would have to be considered; I have not gone into the question at all. The system is capable of being extended.

41215. You would not be prepared, for instance, to give a lump sum for an office, and let a Collector run that in contract and alter the pay of his clerks?—Certainly not; this only refers to contingent expenditure, not to the pay of establishments.

41216. (*Sir Steyning Ederley.*) Without going into policy, you say that a scheme, making all expenditure and revenue provincial, and giving the Imperial Government a fixed proportion of revenue, would be quite feasible?—I think it is feasible; whether it is called for is another thing.

41217. The Lieutenant-Governor here has suggested that the provincial budget might be passed finally by the Local Government, the Government of India, of course, passing their own budget. That would give two sets of figures. Would the fact of there being a provincial set of figures and an imperial set of figures running practically together cause great difficulty in the Audit Department?—It depends upon what these differences consist of. We must have one set of figures to audit by. Do you mean that the Government of India are not to alter the Local Government figures?

41218. That is the suggestion; that the provincial budget should be finally passed by the provincial Government, and be subject to no alterations whatever by the Government of India for the purposes of provincial expenditure?—The orders now are that we are to conduct our audit with reference to the amount sanctioned, reduced by the probable savings. That is simple enough. If the Local Government find that that amount is not sufficient, they are authorised to spend up to the unreduced grant by making a re-appropriation from other heads, and we can conduct our audit on that. But, then, as I pointed out just now, there are other reductions occasionally made, which do not come under the head of probable savings, which reductions the Local Government have to accept. Unless those reductions are to be put on the same footing as the reductions on account of probable savings, we should find it exceedingly difficult to conduct our audit.

41219. Let us assume the budget is not touched at all; would it cause great difficulty in the Audit Department during the year?—I do not see why it would cause difficulty to the Audit Department, but the trouble would be the question of dates. The Local Government budget is now framed on eight months' actuals, and very considerable alterations happen after that budget is framed. If the Local Government are to be allowed to sanction their own budget, if their figures are to be taken as final, they must frame their budget on later actuals than that.

41220. Suppose there are the two sets of figures, what are the difficulties in audit during the year; afterwards, say, from 1st April onwards?—I do not see that there should be any difficulties in audit, if we are told that we are to conduct our audit on the basis of the provincial figures.

41221. You would apparently have two sets of figures, according to the proposal?—We should not have two sets of figures, if the Local Governments are allowed to sanction their own budget without being subject to any alterations by the Government of India.

41222. You mean that you would have to audit on the provincial figures?—I audit on whichever figures the Government of India tells me to.

41223. The provincial budget, say, equals  $x$ ; the Government of India budget equals  $x$  minus  $y$ ; apparently the Government of India would call on you throughout the year for information on the basis of  $x$  minus  $y$ ; the Government of the Punjab would want your audit on the basis of  $x$ ; would that cause you any great difficulty?—Yes; I am afraid it would.

41224. What would the difficulty be?—It is rather difficult to answer that question. I should have to conduct our audit according to the figures intimated to me by the Government of India; I could give the actuals of receipts and expenditure as we go on to the Local Government, but that would not be sufficient for our purposes of audit.

41225. As regards forest accounts, would you agree with the evidence of Mr. Fisher that the audit system requires a complete overhauling?—I have a certain amount of sympathy with his complaint. I think we are inclined to insist too much upon certificates.

41226. Do you think the forest audit is too elaborate, and that there are too many certificates?—I think our system of audit generally requires too many certificates. I am not very conversant with the details of the forest audit; it does not come very much under my personal observation. Mr. Fisher's complaint is probably well grounded, but I think the Local Government could say that such certificates are not needed in such cases. It is possible, of course, that these certificates are provided for by the Forest Code itself. I do not know what certificates he is referring to.

41227. Do you make much use of banks at district headquarters as treasuries in this province?—The Government banks with the Bank of Bengal here, at Delhi and at Simla; the treasury business has only just been transferred to the Bank of Bengal at Simla; the branch there has only just been opened, in fact.

41228. Is there room for any extension of that system in the province?—I am not aware that the Bank of Bengal has branches elsewhere.

41229. You would only bank with the Bank of Bengal?—We only bank with the Presidency banks; they have an agreement; I do not think it would be feasible to make use of other banks.

41230. Another suggestion made was that district treasuries should submit classified accounts of expenditure as well as of revenue. Would that be feasible and save work. They do that in Madras, but the Madras district staff is better educated than the staff in this province; I am doubtful whether it would be feasible up here.

41231. If feasible, would it be a saving for you?—It works very well in Madras.

41232. You are inclined to consider the suggestion of further decentralization of headquarters accounts and a possible central exchange?—It is possible there may be something in it. There may be difficulties which I have not had the opportunity of seeing discussed.

41233. Would it improve the working of accounts in the province if your clerks, or a certain proportion of your clerks, were interchangeable with Treasury Officers?—No; I am not in favour of that.

41234. (*Mr. Dutt.*) You have told us about your local Audit Department consisting of a Gazetted Officer and some subordinates. Do you realise from the District Boards and municipalities a certain rate to cover the cost of this establishment?—We do not realise it; it has been realised hitherto, but Government have now ordered that contribution to be foregone; it has just been abolished.

41235. Was it not one per cent.?—I forget what it was; it came to Rs. 51,000 here.

41236. Is the local audit done without any cost to those bodies?—It will be.

41237. Did I understand you to say that your Audit Department could do something more than they are doing now, and see that these local bodies were conforming to the rules and regulations laid down for them?—I do not see that they could do much more in that respect, because they do see already; the complaint is that they see too much.

41238. They see that every expenditure is covered by voucher, and so on?—The complaint is that the Audit Department go into details too much and insist upon too great rigidity.

41239. Your department could not go further and see whether the local bodies are neglecting a school or not looking after a road, or anything of that kind?—The staff would have to be increased very considerably if they were expected to do that; it is not part of their duty.

41240. Would it be in accordance with the duties of the Audit Department to see whether a District Board had looked after a road or a school?—No.

41241. So that that part of the supervision of a District Board's duties could not be entrusted to your department?—No; that would have to be seen to by the Local Fund Engineer in the case of roads, or by the inspector of schools in the case of schools.

41242. You have told us that the Government of India modifies your provincial budget by deducting what they consider probable savings. In that case you do not have to change your own figures on receipt of the Government figures?—No.

41243. You keep to your old figures and spend according to that, and at the end of the year if there is any excess expenditure under any head, you cover it by re-appropriating from another head?—That is what the Local Government does. But I do not wait till the end of the year to bring the excess to the notice of the Local Government.

41244. That saves you a great deal of trouble?—The order has only just come into force; it is very early to judge.

41245. So far as you can judge it will save you the trouble of modifying figures under different heads on receipt of the figures of the Government of India?—Yes.

41246. Then you say that the Government of India also make modifications of a different kind; for instance, when you have included an item which has not been sanctioned and as to which there is doubt whether the expenditure will be incurred. In those cases, in the interests of correct estimating, is not the Government of India bound to make those modifications?—Yes; naturally they have a right to do so; and they are correct in doing so. It is not often that much amounts are included by the provincial Government.

41247. Or when circumstances change, the Government of India have to make alterations?—Certainly. The Government of India make very large alterations on the receipt side also.

41248. Is it then your opinion that the Government of India have really simplified things so far as it was possible for them to do so, or could they go any further?—That is rather a large question.

41249. I refer to the orders recently issued?—I think those orders go as far as can be expected.

41250. You cannot suggest any other steps which the Government of India could take in order to simplify matters?—The only other step is what the Local Government have suggested, by allowing the provincial Government to sanction their own budgets definitely, without being subject to any change by the Government of India.

41251. Suppose they sanctioned their own budget, and then it was found necessary for the reasons mentioned before to make a modification, would you suggest that the Government of India should make no modification?—That does away with the system altogether. I think, personally, that the Government of India must have the right to make modifications, unless it is possible for the Local Government to submit their budgets at a much later date.

41252. You say that the Civil Service Regulations ought to be, and could be, very much simplified. Until that is done, is it the duty of the Account Department to strictly adhere to the Civil Service Regulations?—It is.

41253. You could not allow any more liberal and loose interpretation so long as the rules are what they are?—No; I do it at my own risk if I do it. There are a couple of suggestions which might possibly be considered in connection with simplifying the Civil Service Regulations. One is whether it would not be possible to introduce time scales more largely. Time scales have been introduced in the Finance Department and the Forest Department; they simplify matters

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41254. (*Sir Frederic Lely.*) Do you approve of that?—Yes, but I believe that the Government of India do not view that suggestion very favourably.

41255. But would you advocate it?—It would save a very great deal of correspondence and friction, and

Controlling Officers might be trusted to see that a District Officer does the amount of travelling he is expected to do. The objection to fixed travelling allowances is that an officer may sit in headquarters and draw his travelling allowance without travelling. Speaking generally, my own view is that the Civil Service Regulations want remodelling, and it is no good altering a few sections; the whole volume wants remodelling.

(*The witness withdrew.*)

Mr. C. G. W. HASTINGS, C.I.E., was called and examined.

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15 Apr., 1908. 41256. (*Sir Frederic Lely.*) You are Inspector-General of Police in the Punjab?—Yes. I joined the Police Service in September 1873. I have had since miscellaneous work in the force, I have done political work in the Punjab, but I have never left the department permanently.

The number of Gazetted Officers of the Indian Police serving in the Punjab is 75. With the exception of three officers employed in my office and at the Police Training School, all officers except newly joined probationers are serving either as Executive Officers in districts or as Administrative Officers supervising the district Police Officers. The scope of the Police Department is the prevention and detection of crime, the collection of important information, political and otherwise, giving general assistance to the authorities and people in times of distress, &c.

The fullest powers should be given to provincial Governments to carry out any policy laid down by the Imperial Government. Since the orders from the Government of India on the Police Commission proposals were received, I have been constantly called on, demi-officially and otherwise, to report on action taken, and the orders issued under sanction of the provincial Government has been criticised. Such criticism hampers the administration of provincial Governments. Local Governments should be trusted to give effect to the general lines of policy laid down by the Government of India.

The influence of the departments of the Government of India is too much in the direction of excessive uniformity. I may instance the refusal by the Government of India of the allowances to the Phillaur Finger Print Bureau staff in the face of a very strong representation by the Lieutenant-Governor, the only reason given by the Director of Criminal Intelligence being that such allowances are not given except in Bombay, where they are granted on account of the dearth of living. To this I can add the correspondence between ourselves and the Director of Criminal Intelligence on the action of the Local Government in carrying out reforms recommended by the Police Commission; among others I may cite the black-mark system, regarding the pay of constables, &c. In instances of this kind wider discretion should be given to provincial Governments; it retards the administration of a province if anything in the interests of advancement is to be held back because other provinces are not ready for the same advancement. Nothing was more striking in this direction than the results of proposals placed before a conference of Inspectors-General of Police of all India in April 1903, when in hardly any instances could any general agreement as to uniformity be arrived at, owing to the widely different conditions that prevailed between various provinces, and it is not in the interests of general police administration to direct uniformity in details.

Directors and Inspectors-General under the Government of India dealing with departments which are primarily administered by Local Governments should be advisers, and not critics and censors of orders passed by Local Governments.

The demands for returns in connection with the Police Department have been satisfactorily curtailed since the Police Commission Report, but there has been a very large increase of work which may come under the head of demands for information in connection with the Criminal Investigation Department. This might be curtailed very considerably. We seem, since the inauguration of the Imperial Department of Criminal Intelligence, to be on the verge of constituting a Secret Police Force, and no innovation could be more dangerous and more liable to become a weapon of oppression with the material we are obliged to work

through. It may be a coincidence, but it is a fact, that since the abolition of the Thaggi and Dacoity Department and the institution of the Department of Criminal Intelligence, the number of bogus agents of the latter who have come to notice has been considerable; as regards also the collection of information on political matters called for in a general way by the Government of India, we are liable to defeat our own ends in carrying out the orders of the Government of India. Rather than make general enquiries we should confine ourselves to making special enquiries through selected and specially deputed officers. Now-a-days, specially when agents of political societies are at work in all districts, to try and ascertain what action Government is taking in all political matters, the fewer enquiries made by general report the better, as, do what we may, the idea of keeping any matter strictly confidential is a moral impossibility. As in the case of secret enquiries into thefts of arms, &c., better results would be obtained by deputing a specially selected officer than by trusting to general reports called for from District Magistrates and Police Officers. Such selected officers should, however, be, to the very greatest extent possible, employed by the Local Governments, and not agents employed under the direct orders of the Government of India or of the Director of Criminal Intelligence, though there are always certain cases in which the Government of India must employ its own agents.

I am not in favour of any alteration in existing orders recently framed regarding the powers of Commissioners and Deputy Commissioners as affecting the Police Force. They thoroughly meet the case, and should be given the fullest trial, and since they were framed, so far as this province is concerned, none but the most cordial working is being experienced. Some officers recommend extended powers to District Officers, District Magistrates and Superintendents of Police in promoting Police Officers within their own districts. I am strongly opposed to this, and so long as we have a provincial Police Force, we have a wider field for promotion and transfer which in the interests of general administration is the most beneficial, and the extra dignity such patronage might possibly give must be sacrificed to the wider interests of the police administration. Speaking generally, the powers invested in District Officers are sufficient, but discipline and vigilant control is in many districts lacking, and the driving power would not be supplied simply by providing District Magistrates with police guards or other outward signs of authority. The native character being what it is looks to one interest, "self-advancement"; and to induce good service the budget for liberal rewards has been considerably increased of late, and should be further increased for general good work and not so much for assistance given in individual cases, and where exceptional work has been rendered, a much more liberal application under recent orders of the Government of India of grants of land should be resorted to. Working on these lines would enhance the powers and add to the prestige of the District Magistrate to a greater and more general extent than the bestowal of appointments on local *umedwars* who clamour for service.

There should be some less cumbrous method of making alterations in the sanctioned strength of establishments. For petty alterations in menial establishments it has been recommended that under certain restrictions the Head of the Department should be the sanctioning authority. For alterations in superior establishments, however, I would most strongly recommend that some means of simplifying the present proposition statements be considered. Their preparation entails much labour, checking them entails much more



labour, and the whole procedure takes often months to complete, although the alterations in respect of which these statements are submitted may be very urgent.

Speaking from a police point of view, where the force is a semi-military one consisting roughly of 812 officers and 19,385 men, I do not think the appeals to the Head of the Department or to Government require curtailing. In the past five years only 96 appeals have been made, and of these only 14 have been accepted in any way. To curtail existing rules in the Police Force regarding appeals would give a very legitimate cause for dissatisfaction and affect the discipline of the force which is now efficiently maintained.

Admitting excessive uniformity, speaking purely from a police point of view, I am convinced that control from above has brought about the present highly efficient state of the Punjab Police. The large number of junior officers we now have to work through who are launched into very responsible posts at a comparatively young age render control from above necessary. Let each Superintendent of Police work his own district on what he considers the right lines (and many of them have fads), we would find in a very short time a check in the local machinery which would require special enquiries into and remedies to cure. I would view with the greatest apprehension anything tending to relax discipline in splitting the force up into isolated district units by giving a freer hand than at present to Superintendents and separating them from central control. As Inspector-General, I am personally responsible for the interests and welfare of all officers and men in the force, and through the four Range Deputy Inspectors-General, as at present constituted, can work to this end, which would not be the case if divided responsibility was in any form allowed to come into being as suggested by some District Magistrates.

I do not generally favour any great alteration in the present Secretariat control, although no doubt searching enquiries might make relaxation in some directions possible. The Government mill probably grinds slowly, but grinds very fine; and if the Secretariat pendulum is now to swing back too much in the other direction, I would anticipate, before very long, mistakes from hurried and ill-conceived local action which would result in far greater petitioning and reporting on, so that the existing control would again have to be resumed. Take for one instance the question of punitive posts, which in many instances are revised by the Head of Government on grounds of policy or otherwise; there may be delay in obtaining the final orders of Government, and complaints have reached me about this, but instances could be given where such delay has been advantageous to the administration, while the reports drawn up for sanction of such posts entail, or should entail, the same amount of reporting and care whether the orders of Government are taken or the powers delegated to Commissioners.

I can remember no single instance since I took over charge of this department in March 1904 in which the relations between the Police Department and the various Commissioners have been other than of the most cordial nature. The valuable assistance and advice given by Commissioners in police matters have been always given adequate weight to, and I see no reason whatever why, under existing rules already referred to, this state of affairs should not continue.

I quite agree with the remarks made by a former Inspector-General of Police, when he wrote:—

"It is my belief—and I speak with an experience of 38 years—that Gazetted Officers when on tour do much by their example and instruction to raise the morals of their subordinates, to instruct them in the proper discharge of their duties and to help in the better control of criminals. \* \* \* \* \*

I think the European Officers of Police who have been for any time in their districts have a complete knowledge of their districts and the people, and I believe that much useful and unobtrusive work is done by them in their district tours."

Executive Officers have ample opportunities for personal contact with the people, and in the majority of cases there is no doubt such officers are freely

accessible to the people, but there is on the other hand not the slightest doubt that there is not that free touch there used to be, and anything in the shape of grants in districts for the purpose of "entertaining" native gentlemen who may come from a distance to visit officials, which has been advocated by some officers, would be beneficial. There, would of course, be difficulties in working out the details of such a scheme, but these would not be insuperable. The keynote of the whole appears to be in the words "Sympathy with the people." That this sympathy existed in old days is seen in every corner. For instance in the Hazara district, where letters from Abbott are the treasured heirlooms in many houses. I have still some copies of these in my possession, and they have often guided me in my action in dealing with men on the frontier. To attempt to renew the past is now perhaps impossible. I know from experience how unpopular fixed days for receiving visitors are and how hurried interviews are resented, and anything in the shape of *shamianas* or other comforts for the entertainment as Government guests for native gentlemen when visiting district officials would be greatly appreciated. But I am afraid that any action taken in this direction at the present juncture would be misconstrued. Nothing struck me on coming to the Punjab from the Frontier more than this want of touch between native gentlemen and District Officers. This comes the more forcibly to my mind in my own case. I endeavour to meet every native gentleman who wishes to see me, but since I have held my present position I can remember but few instances in which a native gentleman has called on me without having some petition to prefer on behalf of some one in whom he is interested, and I believe that among the younger generation of educated Indians it is looked on as "grovelling" to visit Europeans.

I consider the majority of Executive Police Officers possess a knowledge of the vernacular above the average. Without wishing to detract in any way from the advantage of a good knowledge of vernacular, I am constrained to say that it is not in all cases that our best linguists are our best officers.

We have in the Police Department received an increase to the administrative staff on the recommendation of the Police Commission. This gives what was a much needed relief. District charges are not now beyond the power of management of the Superintendent generally. Specific cases are dealt with as they arise.

Transfers are not unnecessarily frequent. I admit that constant transfers in some districts have considerably retarded good administration and continuity of work, and everything is being done to reduce such transfers to a minimum; but I see no practical remedy whereby the evil can be removed.

As regards Divisional Officers, I do not feel competent to express an opinion. As regards District Officers, I feel sure that any such Councils, whether Advisory or Administrative, would be productive of nothing but harm, and when the District Magistrate can, as at present, obtain the opinion of all native gentlemen of influence in his district, to single out two or three men as advisers would cause jealousy and trouble. I think we may take as an illustrative case the difficulties which confront all District Officers in frontier districts in the working of the *jirga* system. Here in rare instances do we find a selected number of representative members of the community working solely in the interests of justice, and to eliminate members on account of party feelings and factions is a work of the greatest difficulty, and I feel convinced that any attempt to work practically through advisers would tend only to magnify the position of the fortunate individuals selected, without any corresponding advantage to the administration.

As regards the Punjab generally, we are not yet ripe for the introduction of a scheme to give village communities powers in petty civil and criminal cases. To attempt to build up panchayats, however admirable the object may be, where no local public opinion exists, would, unless supported by official authority, end in failure. There is no doubt that in some districts, such as Ferozepore, Lahore, &c., &c., the abuse of village liquor shops is a source of open annoyance, but I doubt if any local panchayat in villages as at present constituted would be able to reform matters. On the other hand, it is more

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probable that faction fighting would ensue. The only district in the Punjab where exceptional authority and power rests in the hands of recognized leaders is in Dera Ghazi Khan under the various *tumandars*; in other districts, with very rare exceptions, the material does not exist in which such authority could be vested, and in some districts, notably Jhelum, Attock, &c., to restore the old hereditary powers would make confusion doubly bad. As far as my experience goes, Government has done everything possible by the creation of Benches of Honorary Magistrates, which certainly in one district had to be withdrawn owing to the refusal of the Magistrates to sit together. With this in mind, to extend the powers to less influential people in rural tracts would only end in similar failure, jealousy, and even harmful results. Honorary Police Officers have been given a trial with no appreciable results. We are, however, making daily more and more use of the services of *zaildars*, *inamkhors* and village headmen; with the institution of every new department the services of these men are utilized to an increasing extent. Let us recognise in a far more substantial manner than at present the value of these services. By such adequate recognition we can gradually build up the position of these men, who are, if not entirely, still to a very large extent the local leaders of the people, so that ultimately they will be able to take up a strong position to be utilized in the disposal of local affairs.

41257. Your police in the Punjab is a provincial force?—It is now.

41258. Has it been for long?—Since the Police Commission Report we have removed the municipal police, and it is now one whole provincial force: the rule making it one provincial force is only in the last two years.

41259. It was only the municipal police that were brought in then?—Yes.

41260. Before that they were still provincial, I mean as distinct from district corps?—They were one force; the only difference was that the city police, the municipal and cantonment police were paid from different funds, but they were all recruited for the same purpose and did the same work, and were under the same supervision in any district.

41261. The principle that has been observed in the province, for at any rate many years, is not that the district is the unit, but the whole province?—That is so.

41262. Do you approve of that system?—Yes; I think it has worked well.

41263. One of the consequences is that the District Superintendent of Police has less powers than he has under the other system?—I have never tried the other system.

41264. What powers has the District Superintendent in the way of appointment and punishment and dismissal?—Appointment up to, and exclusive of, the grade of head constable, and dismissal of the men he is able to appoint.

41265. As to sub-inspectors?—Sub-inspectors are appointed by the Deputy Inspectors-General, and the inspectors by the Inspector-General, also the European sergeants.

41266. Then the District Superintendent has very considerable powers?—Very great powers.

41267. Is he subordinate to the District Magistrate?—Yes.

41268. What is the practical difference between a provincial list and a district list?—There is no difference except as regards the source of pay. The municipal police used to be paid by the municipalities, and in the case of the cantonment police by the cantonment funds, but they were all enlisted and employed in the same way, and were interchangeable. Now the province pays for the whole force, the municipalities giving in exchange the amount that they used to pay. That is the arrangement since the Police Commission reorganization, it is only as regards the payment of the force; as regards discipline and recruitment, they are exactly now as they were before.

41269. You say "I would view with the greatest apprehension anything tending relax discipline in splitting the force up into isolated district units by giving a freer hand than at present to Superintendents

and separating them from central control." A district system does not imply the exemption of the Superintendent from general control—the general control of the Inspector-General?—No. There was a proposal that sub-inspectors should be promoted and recruited in their own districts; if that was adopted, it would be detrimental. You have a bigger field, as we have now, in the whole province, for promotion and enlistment, but if it was restricted to the district unit, it would be detrimental to discipline.

41270. You are objecting to this proposal to have inspectors and sub-inspectors appointed and promoted in their own districts?—Yes.

41271. The lower grades are confined to their own districts?—Yes, and should remain so.

41272. You say that the relations between the Police Department and the Commissioner have been of the most cordial nature. Is that because as a fact the Commissioner effaces himself, and has very little to do with the police in the Punjab?—He had before; it is only recently that his power was withdrawn. There was a dual control in which the Commissioner had the powers *ex-officio* of a Deputy Inspector-General, and the Deputy Inspector-General was his personal adviser in all police matters. The result was friction. Those powers have now been withdrawn from Commissioners, and the scheme is working perfectly smoothly.

41273. Are the relations now cordial?—Absolutely.

41274. That means, in other words, that the Commissioner has effaced himself?—Not entirely. Under the rules laid down he has, by law, to carry out certain duties in regard to the Track Law and punitive posts. In fact he now controls from without instead of from within.

41275. Has he any positive control on any particular point?—Not as he had before as regards transfers or punishments, or things like that, that is now entirely in the hands of the Deputy Inspector-General.

41276. In what matters has he control now?—In all matters in which by law he has authority, and it is necessary that he should have control.

41277. But in what particulars?—Under the Track Law, and arrangements for punitive police, &c.

41278. Can he order the imposition of a punitive police post?—No; that has to go to Government, but it passes through him; he gives his advice.

41279. He has no actual power to sanction it?—No; he is simply adviser to the Local Government.

41280. His functions in relation to the police are now purely advisory, and on certain subjects only?—That is so.

41281. What is the system of village police in the Punjab?—Village police do not exist, with the exception of the *chaukidar*.

41282. How is he paid?—The *chaukidar* is paid by the village, and is appointed by the Deputy Commissioner.

41283. Is he in any way under the control of the provincial police?—No; except that he has to report at police stations on duties which he has by law to do, in the way of vital statistic reports, and so on; otherwise he is not under the police; he is not paid by the police.

41284. Have you any remarks to make about the village police or generally about the detection of crime, which depends chiefly on them in the villages?—I do not think it depends on the village police. The detection of crime is the responsibility of the district police—the *thana* police.

41285. But they have to work through the village police?—They work through them, they get assistance from them undoubtedly, but they are not employed to enquire into cases any more than you would ask evidence from any other villager.

41286. Does not the provincial policeman, when he goes to a village, expect the *chaukidar* to tell him all about a case up to date?—We look to the *chaukidar* for information, and he comes generally and reports, but he is not employed as a police official in any way.

41287. In this province you have a great many Honorary Magistrates; is that a help to the administration of justice?—I do not know that there is an unusual number, but they are an immense help; they dispose of a very large number of petty cases; they are a great help to the police.

41288. (*Mr. Meyer.*) You speak about harassment by the Government of India apparently with reference to the Police Commission's Report; what sort of harassment do you refer to?—I think the work has been hampered distinctly.

41289. Will you give two or three instances?—I have mentioned one, as regards the black-mark system. There is another as regards the re-grading of the pay of constables. We had our definite orders laid down by the Government of India, and my suggestion was that it should be left to the Local Government to carry out the principles laid down, without criticism from above and calls for returns, which have added considerably to our work since the Police Commission proposals have been put into force.

41290. This was with reference to the working out of the proposals for reorganisation subsequent to the report of the Police Commission?—Yes.

41291. You had sent in proposition statements of course?—Not to the Government of India; the Government of India issued their own orders and told us what lines we were to work on, and we were supposed to carry them out; the Accountant-General would see if there were objections to our proposition statements and others that were sent up.

41292. The matter had to go to the Government of India and the Secretary of State too, under the general financial rules?—Not eventually. I think our proposals were accepted as a whole, but they were carried out in detail locally.

41293. Have they been much altered?—Distinctly so; the whole pay of the force has been altered since the Police Commission proposals were sanctioned by the Government of India.

41294. That is, the Police Commission has had that effect; but have the Government of India made many alterations in your specific applications of the Police Commission's proposals? Have you had much to complain of in the way of alterations of your schemes?—No; I have not had any complaint to make in that direction, but it is the department of the Director of Criminal Intelligence that has constantly written down and said "You have sent down a report regarding the black-mark system, or regarding your constables; we do not agree with what you have done." That should be left to the local officials to carry out under the sanction of the Lieutenant-Governor, so long as it is not at variance with the direct orders of the Secretary of State.

41295. Have you now got your reorganization scheme at work?—It is now at work—not in full, and it will not be for the next three years.

41296. Are these calls for information going on still?—No; I have had nothing of late.

41297. You speak of a conference of Inspectors-General in April, 1903; what was the conference about?—It was on all matters connected with police reform before the Police Commission submitted their final report.

41298. It was on the occasion when you met the Police Commission?—Yes.

41299. I thought you were referring to a special conference in connection with the Police Commission proposals. I simply referred to that, because I hold that we could never have uniformity in police matters in India. What is suitable to Madras would not be suitable at Peshawar or elsewhere.

41300. On the whole, while you may have had your little differences in detail, do you regard the Police Commission's reforms as beneficial?—Most distinctly so.

41301. Formerly, I understand, Commissioners had a certain voice in the promotion of inspectors and sub-inspectors and in their appointment?—Yes, the Commissioners were consulted.

41302. If a man was punished or dismissed, there was an appeal to the Commissioner?—Not to the Commissioner in all cases, a Commissioner's order of dismissal would have been final; there would have been no appeal against it whatever in certain cases.

41303. Suppose you had been District Superintendent of Police and had dismissed a man, the appeal would have gone to the Commissioner?—Only in certain cases,—in cases of escape from custody; but

departmental questions as regards discipline were not dealt with by him at all. He was always consulted as to a man's promotion as inspector, or in the case of transfer, as to whether he would care to accept a certain officer.

41304. Is that no longer done?—Not now.

41305. You promote inspectors and sub-inspectors without taking into consideration the opinion held of them by the Chief Magistrate of the district?—The Magistrate of the district is always consulted, and his opinion is given with regard to all sub-inspectors before they are promoted.

41306. I suppose if he came to the conclusion that a particular sub-inspector was not doing any good where he was, and that he had better be moved, you would move him?—That is quite possible within the division.

41307. Is it really the Commissioner that has been eliminated?—The District Magistrate has not had his powers touched in the slightest.

41308. Is the District Superintendent of Police recognized as assistant to the Magistrate in matters affecting the peace of the district?—Quite so.

41309. You speak of providing the District Magistrate with police guards; have they not got orderlies?—Yes, but it was a question of personal guards.

41310. I do not quite see the difference. As a District Magistrate and Sub-District Magistrate in Madras, I used to have a certain number of police orderlies?—Yes; but not a guard over your house.

41311. You mean men more like military sentries?—Yes; there could be orderlies, *chaprassis*, and so on, the same as before, but a personal guard would consist of a *havildar* and four or six men guarding the residence.

41312. You require the simplification of proposition statements. Were orders not issued some years ago that if you had a big office and altered one section of it, the proposition statement need refer only to that one section?—No; at present under existing rules we have to send proposition statements for the most trivial changes; it has to go to the Accountant-General.

41313. The Accountant-General himself has just told us that that is not necessary?—That is the rule. We all agree that it involves a great deal of clerical labour, and is useless.

41314. I suggest that you should refer to the Accountant-General and find out whether you are not going to useless trouble?—I believe rules are about to issue.

41315. The Government of India issued instructions on the subject in 1904?—They cannot have been conveyed to us as a department. I have never seen them myself, and up to now we have been carrying on in this way of sending in a proposition statement for the smallest alteration. The whole thing has to go back for re-sanction.

41316. You speak of the danger of constituting a secret police force, and though you admit that certain special investigations are necessary from time to time, you consider that they could be better conducted by the Local Government than by officers sent by the Director of Criminal Intelligence?—I did not quite mean to imply that, but I say there is a distinct danger, as much from without as from within. The material you have to employ is a very delicate one, and the danger is that outsiders, acting as bogus representatives of the department, are going all over the country and levying blackmail, and I foresee a great deal of trouble if it is allowed to go on.

41317. Take such matters as an enquiry into counterfeiting or forgery?—That is a matter that is entirely connected with crime.

41318. There, I take it, you would allow the Director of Criminal Intelligence to come in?—I have no objection. I was referring to questions of enquiries regarding individuals, and the authority these people assume wandering over the country as representatives of that branch.

41319. Do you think there is a tendency to approximate to the French system of having everybody's *dossier* in the police archives?—I do not go so far as

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*Mr. C. G. W. Hastings.* that, but I think there is a danger ahead of you which we should be prepared to deal with, as it undoubtedly might exist.

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41320. (*Sir Steyning Edgerley.*) You draw a great distinction between the actual reforms of the Police Commission which were beneficial and the manner in which they were enforced?—Yes.

41321. Would you go so far as to say that the appointment of the Director of Criminal Intelligence has greatly centralized control in police matters?—I think it has very much so.

41322. And that there has been a considerable absorption of authority by the Government of India as regards control of the police since that Commission?—Not of authority, but that may come hereafter; it is in its infancy at present; the full scheme has not been given effect to. The directing power from above has very considerably increased our correspondence.

41323. And limited your freedom of action?—In a way, yes.

41324. How did the Director of Criminal Intelligence come to write about such a matter as the allowance to be paid to police officers in the province?—I could not tell you how he wrote; in one instance it was through seeing one of our *Police Gazettes*; he wrote and said, "I see you have issued such and such rules; I do not think they are right."

41325. Did he write demi-officially?—No, officially.

41326. You have had experience here that he goes a good deal outside his sphere or what is understood to be his sphere?—I do not say that, but I do not think his sphere has ever been defined.

41327. Is it not the sphere of the Director of Criminal Intelligence to discuss the pay and appointments of constables?—No; except that I suppose Sir Harold Stuart was Secretary to the Police Commission, and he was watching the whole procedure.

41328. Do you suggest that a central office of police information, Finger Print Bureau, and so on, is not useful in the repression of crime?—Not at all.

41329. That is not a danger?—Not at all; I refer simply to the Enquiry Department.

41330. You would suggest that all matters of enquiry should be left to the police of the Local Government?—Not at all; there are occasions on which the Government of India may very necessarily employ their own men, but it should be done with the knowledge of the Local Government.

41331. You say that in the past five years only 96 appeals have been made, and of those only 14 have been accepted in any way. Were these 96 appeals to Government?—Ninety-six appeals to the Head of the Department—to myself—against the orders of my subordinates. They can only be in cases of dismissal.

41332. What is in your mind as regards this suggestion—that we should recognise in a far more substantial manner than at present the value of the services of the *zaildars*, *inamkhora*, village headmen, and so on?—They have a lot of honorary duties to perform, and as far as service rendered to our department is concerned, we always liberally reward them, but they have other calls upon them by the Sanitary Department, the Education Department, and so on; in fact they are everyone's child, and I think

in special circumstances they should be rewarded more liberally by grants of land.

41333. Grants of land chiefly?—I think that is referred to in the Government of India's letter sanctioning the rewards.

41334. Are the chaukidars very numerous in this province?—I could not give you an idea of the total number, but there are so many chaukidars per house in the village; they come to a very large number; it depends on the size of the town.

41335. Would there be over a thousand in a district?—I should be sorry to say; I have not the figures before me; it is one per 100 houses, or something like that.

41336. Does their presence save you from having a larger police force?—No; not in the slightest.

41337. If they were abolished to-morrow, would you have to increase your police force?—Not the police force; you would have to increase your reporting agency as regards vital statistics, but you would not have to increase the police force if they were removed.

41338. (*Mr. Dutt.*) Has the Director of Criminal Intelligence any agency under him, beside the provincial agency, for the detection of crime?—No; so far as I know, he has not.

41339. So that when he has to enquire into any sort of crime he has to do it through the provincial police?—Usually. I do not know the constitution of his office; perhaps he may have one or two officers, but usually for the purpose of false coining or things like that he supplies us with information, and we work up the case.

41340. Has it ever happened that in enquiring into a case like that he has sent down any special officer to help the provincial police?—Yes, on several occasions we have had European officers deputed from another province; these have been sent specially for enquiry into coining or theft of arms; some special officer may have a roving commission throughout all India; he is not specially enrolled in the Director-General's office.

41341. You do not know whether there are any special officers enrolled in the Director-General's office?—I cannot say.

41342. About the chaukidars, I understand that their pay is collected in the villages through the villagers?—From the village cess.

41343. Who collects that—the *lambardar*?—I should say it is collected with the land revenue; it is very, very small; it does not affect us; it is not collected by the police.

41344. Nor are the chaukidars paid by the police?—No; we have nothing whatever to do with their pay or enlistment or anything.

41345. The chaukidar is understood to be the servant of the village?—That is so.

41346. Who appoints him?—The District Magistrate, I imagine, on the recommendation of the *tahsildar*.

41347. Do you find him useful for the purpose of vital statistics and giving information?—Yes, and also when he goes back to his village he takes any hue and cry notices or matters like that; he is an easy means of transporting orders to the village headman.

(*The witness withdrew.*)

Mr. C. P. FISHER was called and examined.

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41348. (*Sir Frederic Lely.*) You are Chief Conservator of Forests in the Punjab?—I am Conservator; we have not got a Chief Conservator; there is only one Conservator. I was five years in Assam, then mostly in the Punjab, and three years in the Central Provinces.

The staff of Gazetted Officers under my orders at present is 20 in number, of whom 10 are in the Provincial Service. These officers are in charge of 13 divisions, or are attached to these divisions for various purposes. Their principal work consists in managing the forests so as to improve their condition as revenue-producing properties, and so as to provide for the forest requirements in grazing, fuel, &c., of the

neighbouring villagers. This work involves the control of such details as road-making and building, forest police work, research in scientific forestry, and so forth. Divisional Officers handle in the aggregate some thirty lakhs of rupees a year, most of which passes through their hands in comparatively small sums, so that since as a rule they are not well seconded by their subordinates, whether executive or clerical, a considerable part of their time has to be devoted to the detailed control of money matters. By reason of the necessity for regulating the forest demands of villagers living near the forests, they are brought into intimate relations with a certain section of the populace.

My duties as Conservator consists chiefly—

- (a) in bringing forest questions before the Local Government, the chief of which are—
  - (i) the local interpretation of a policy already decided on ;
  - (ii) the inauguration of a new policy ;
  - (iii) the financial problems and control of the department ;
  - (iv) questions of establishment ;
- (b) in arranging under the control of the Inspector-General of Forests for the scientific working of these forests ;
- (c) in dealing with the Heads of other Departments on such questions as arise out of irrigation matters, camel-grazing, grass farms, commissariat firewood, and so on ;
- (d) in arranging with officers of the Revenue Department for giving grazing facilities to the village cattle in times of scarcity, and in provinces other than the Punjab for famine relief works ;
- (e) in inspecting forests for the purpose of seeing that the scientific treatment prescribed for their management is carried out, and that their uses by villagers is properly administered.
- (f) in exercising the control over the administrative and financial details arising out of working of the department.

The Local Government should be left to make its own forest budget, so long as there is no question of a deficit. Its interest in securing efficiency is as great as that of the Imperial Government, and it is in a far better position to understand local requirements than is the Imperial Government. So far as I know, the changes made in the budget after it leaves the Local Government are only in the direction of increasing revenue, or of reducing expenditure. The former change is futile, since additional revenue cannot be made by the process of adding figures to the expected revenue as calculated in detail ; while the latter either involves a reduction of efficiency, or else necessitates a further reference to the Supreme Government in order to re-establish the original figures : both changes involve unnecessary correspondence.

The pay of grades being fixed for Gazetted Officers by the Imperial Government, and the number of Imperial and Provincial Service officers being maintained at a proportion also fixed by the Imperial Government, I would leave the number of appointments solely to the discretion of the Local Government, which can best appreciate what is required in order to obtain local efficiency, and whose judgment is not fettered by a knowledge of the practice obtaining in other provinces. I would go further than this as regards non-gazetted appointments, and would leave the Local Government with absolute discretion as to the pay of grades and the proportion of posts in each grade. My reason for this desirable change is that local circumstances vary greatly from province to province, and, moreover, are constantly changing in any one province. For example, a couple of years ago in the Central Provinces a large increase in the work of the Canal Department involved the appointment of considerable numbers of well-educated subordinates, who were more highly paid than men of corresponding attainments who were required in the Forest Department ; the inevitable result of this was that the Forest Department could not obtain suitable candidates for employment. The Local Administration should have had power to assimilate the pay of the Forest Department officials to that of those serving in the Canal Department ; but it could not do so without a reference being made to the Supreme Government.

I would leave the granting of local allowances, to officers of all grades, entirely to the Local Government, instead of, as now, referring them to the Supreme Government. In a recent case the Government of India refused to sanction the grant of an allowance of Rs. 20 a month to a single forest ranger, which was recommended by the Local Government for a period of five years, on the grounds that it was in excess of the amount "usually granted elsewhere," and that "to sanction a higher rate might form a precedent." In this particular case the Supreme Government reduced the allowance to Rs. 15 a month not understanding the circumstances, which certainly were entirely different to

those obtaining in any other province in which I have served, no comparison such as was made being reasonably possible.

In connection with the control of scientific forestry, there is a tendency to aim at a uniformity which cannot but result in the retardation of progress. The remedy for this state of affairs lies in so organizing the headquarters staff that the control of work which arises from forests of similar characteristics may be assigned to special officers.

The Inspector-General of Forests should be the supreme authority in questions of scientific forestry, and he should make recommendations to the Local Government as to the broad lines of general policy to be followed, the opening up of a country by forest roads, the general inadequacy of establishment, and so forth. But I do not think he should express an opinion on such details as raising the pay of particular establishments, the imposing of restrictions on rights of user, and other similar points, unless it be at the request of the Local Government, and after he has made such an enquiry as will enable him to speak with authority on such points. I think his inspections should be more formal than they now are, and believe that, should this proposal be accepted, either unnecessary correspondence would be avoided or, in the alternative, his reports would not be ignored to the weakening of the respect which they should command.

The right of appeal is sometimes abused ; but since the amount of extra work entailed by such abuse is comparatively trifling, and since the right of appeal undoubtedly gives a sense of security in personal matters, I do not think it should be restricted in any way.

Except in matters which affect forest settlements and the formation of irrigated plantations, the references in forest matters now made to the Financial Commissioner seem unnecessary, Commissioners of divisions being competent to deal with them. In this manner considerable time and correspondence could be saved.

Quite recently considerable powers have been delegated to me, and I have been authorised to delegate many powers to selected officers serving under me. Two of my recommendations have not been accepted by the Local Government, while others are still under consideration. I have asked for all the powers which I consider can safely be delegated at present ; but I anticipate that further delegation will be desirable as time goes on and when, as a result of the present delegation, officers acquire that sense of responsibility which, as yet, is not sufficiently developed in them.

With very few exceptions, all forest officers have more work than they can do, with the result that they are unable to make use of their great opportunities of personally communicating with the people. This is greatly to be regretted, not only from a departmental standpoint, but as regards the influence which they might have in the country generally by reason of their position as Government servants.

Generally speaking, our knowledge of the vernacular languages is far too elementary, and it would be altogether desirable that steps should be taken to ensure that we had a better command of them ; the first step towards this end should be to reduce our work generally.

Most forest charges are much too big for a single officer to control properly, and one of the most difficult things that a young man has to learn at the outset of his career is to select what work he can best leave undone. After a time one accepts this situation as a normal part of one's existence, and so we struggle on, striving vainly to attain a degree of efficiency which is so modest as to appear almost childish to those who are acquainted with forestry as practised in other countries. We have not even time to teach our subordinates properly, and without their trained aid there is no hope of our ever being able to manage suitably the large areas we control. It is not recognized that money spent freely in developing a forest property in so backward a state as are most of the Indian forests will all be returned with heavy interest in the future ; that future is too distant perhaps for the necessity to be apparent now.

Transfers are undoubtedly too frequent, and in the Forest Department this is almost entirely due to the staff not being sufficiently large.

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The system of auditing accounts requires complete overhauling, with a view to lessening the clerical work which occupies so much time. Officers are required to give endless certificates to prove to the satisfaction of the Audit Officers that they have carried out simple rules of accounts procedure; not only does this directly occupy much of their time, and that of their staff, in a manner which is quite unnecessary, but indirectly it wastes their time in answering objections about trivial formalities. It is certain, moreover, that if an officer is so careless as to allow petty rules to be departed from, he will not be sufficiently careful to consider what he is doing when signing certificates to say they have been carried out; the system does not even attain its object.

41349. Do you approve of the system by which the chief forest officers in the provinces outside Bombay and Madras are chosen from a general list?—You mean the Conservators? Yes; there is a much better chance of selection.

41350. You would not advocate placing the so-called minor provinces on the same footing as Madras and Bombay in that respect?—No; it would be very unfortunate.

41351. What are the relations between the forest officers and the Head of the district in the Punjab?—The forest officers are his subordinates. As a matter of fact it works out in practice that he is concerned with the rights of the people—the right of user of the forest; he does not interfere in anything else, but the general orders are that the Deputy Commissioner is to get every month a *précis* of the correspondence between the divisional forest officer and the Conservator. The forest officers correspond with me. As a matter of fact, the Deputy Commissioner does not get the *précis*, and does not want it.

41352. Has he ceased to take an interest in forest matters?—No, he is very much interested indeed; when questions come up of the rights of the people the forest officer writes to me through the Deputy Commissioner, but as regards outside work such as plantations, timber works, and things of that sort, the Deputy Commissioner does not interfere; he does not concern himself with the financial aspects of the department, only with the rights of user of the people.

41353. Would you limit his interests to rights of user of the people; are there not many matters which are scarcely to be called technical, and yet in which the Deputy Commissioner might take an interest—right of grazing, for instance?—The Deputy Commissioner is very much interested in that, as in all matters connected with the use of the forests by the people.

41354. Does he manage that himself?—No; take for instance the enclosure of grazing ground; the working plan prescribes that certain areas have to be closed to grazing this year; the forest officer sends his annual plan of operations to me through the Deputy Commissioner; the Deputy Commissioner has his say upon that. For example, this year we have opened enormous areas to grazing on account of the scarcity; on the plan of operations the Deputy Commissioner would note, "I think we shall probably have to open so and so."

41355. Then the supply of grazing is dealt with equally by the Deputy Commissioners and by the forest officers?—Yes.

41356. And the supply of fuel likewise?—No; only so far as rights of user go, not the supply of fuel, for instance, to a city.

41357. Generally are you satisfied with the relations that exist?—They are very good, just as good as they were in the Central Provinces; it is practically the same thing up here as it was in the Central Provinces.

41358. (*Sir Steyning Edgerley*.) You think the charges are much too big?—Much too big.

41359. Have you got any scheme?—I have just sent in a scheme; it is just coming back, I regret to say.

41360. But the matter is being taken up?—Yes, we shall get something—how much I do not know. The forest officers cannot go out into the forests; that is the real thing; there is too much office work.

41361. Are your clerical offices strong enough?—No, I am just going up for a scheme about that, but I have to wait until orders are passed on my protitive reorganization scheme, because I have asked for two Conservators instead of one, and that will affect the whole office establishment.

41362. Will these figures be considerably affected?—Yes; my organization for Imperial plus Provincial Officers must amount to an increase of about 50 per cent.; now that the scheme is coming back I am going to make it a little bigger.

41363. Are there any forests in the North-West Frontier Province?—Yes.

41364. Are they also under your control?—Practically.

41365. Would you be in favour of entirely provincializing forest revenue and expenditure?—Yes; I think the Local Government should have it entirely.

41366. You say "I think it is not recognized that money spent freely in developing a forest property in so backward a state as are most of the Indian forests will all be returned with heavy interest in the future." What increment of revenue could you work to if you had a free hand as to expenditure?—It is very difficult to say; it is only a guess, but I dare say we could double it.

41367. Within how many years?—I cannot bind myself to that. I have not thought it out. I will give you an example of what happened in the Central Provinces in Sir Frederic Lely's time. We built a feeder road to a railway; in the first year's sales we got back the cost of the road. That is an exceptional case of course, but as the country gets opened up you also open endless markets. You might double it in 15 or 20 years.

41368. Twenty-five years at any rate?—I cannot tie myself down, but within a comparatively short period of years; I do not think there would be any particular difficulty about it when we have the forests opened up.

41369. You think the sphere of the Inspector-General of Forests should be limited to questions of scientific forestry?—He is very useful as an adviser, because he goes about all over India, and coming up to the Punjab he can say "Why do you not try such and such a thing which has been successful in the United Provinces." Except as an adviser he should have nothing to do, except in technical matters.

41370. He should not note on every forest question that comes up to the Government of India whether it is technical or administrative?—If you had three or four Inspectors-General perhaps they could do it; if you had an Inspector-General for two provinces it might be done, but with one man it is simply beyond him. He has not the time, and he has not the knowledge.

41371. You suggest in one place that the Commissioner should be competent to deal with everything except forest settlements and the formation of irrigated plantations. In another you say you think the present practice is suitable and sufficient and that the Commissioner should not have further powers.—The Financial Commissioner is really only a post office now in the Punjab.

41372. Your real answer is, that you would give much greater powers to the Commissioner?—No, I would not; things go from the Commissioner through the Financial Commissioner to the Local Government, and I would leave out the Financial Commissioner. The Commissioner would have his say as he has now, but to the Local Government, and not to the Financial Commissioner.

41373. You would give the Commissioner an enhanced position?—Proposals now go from the Deputy Commissioner to the Commissioner through the Financial Commissioner to the Local Government; I would leave the Commissioner having as much say as he has now, but I would let him say it to the Local Government, and not to the Financial Commissioner.

41374. Then what do you mean when you say that Commissioners of divisions are competent to deal with forest matters?—The Commissioner would be the post office to the Local Government instead of the Financial Commissioner. I see what you mean; I did not mean that I would give him the final authority,



that would prevent undesirable uniformity of policy in the province.

41375. (*Mr. Meyer.*) Has the Commissioner to countersign your working plans?—Yes.

41376. But anything that deals with the creation of reserved forest or forest settlement goes to the Financial Commissioner?—Yes; I think the Financial Commissioner countersigns the working plans, too. It does not matter; he never says anything about them; no body ever says anything about them except the Local Government.

41377. With reference to your proposal to leave out the Financial Commissioner, is not the essence of decentralization that you should put powers as low down as possible? If the lower authority can exercise them as well, is there any reason to trouble the higher authority?—I would not give the Local Government's powers to the Financial Commissioner at all. I do not think he is in the same position to know as the Local Government is.

41378. Supposing the Local Government got some power in regard to deforestation, would you allow it to delegate that power?—Certainly not. I should be very sorry to see the Local Government get direct powers in the matters of deforestation; it is a thing you cannot be too careful about.

41379. Does it make any difference as to the control of the district forest officer whether the forest is reserved or protected or unclassified?—The unclassified forests in the hills are managed under the 1853 rules; in the plains, as regards grazing, under Punjab Government Revenue Circular No. 56, section 65. In unclassified forests, offences are governed by the Indian Penal Code.

41380. There are no village forests such as you have in the Hazara district in the Frontier Province?—I cannot tell you; I have never visited the district, and I do not know.

41381. You speak of the stringency of the forest accounts system; has that increased of late years?—It has increased very much since our accounts were transferred from Calcutta to the local office.

41382. They were formerly directly under the Comptroller-General?—We had a Forest Comptroller. Since the Accountant-General took it over there have been endless objections, largely because they do not understand; they have not got a good man in Lahore who understands forest accounts, and they consult my office a great deal about it; they come and ask my Personal Assistant questions.

41383. Then the objections really come from your Personal Assistant?—Not understanding the rules, when they are in doubt about anything they come and say "What does this mean?"

41384. You say, with reference to the Government of India changing the budget, "The changes made in the budget after it leaves the Local Government are only in the direction of increasing revenue or of reducing expenditure; the former change is futile, since additional revenue cannot be made by the process of adding figures to the expected revenue as calculated in detail." Of course it is not a question of making fresh revenue; it is merely a question of accurately forecasting the revenue that you are going to get in the course of the year?—Yes; but surely we can do it better than the Government of India. What does the Government of India know about it? I make out my revenue in detail; I say we are going to fell so many trees; each tree produces so many sleepers, and I expect the sleepers will realize so much. Then the Government of India adds on a lakh. What can I do?

41385. In 1904-05 the Government of India estimate was 8 lakhs and the actuals were 9-37 lakhs?—But you must remember that you cannot estimate forest revenue; for instance, here in the Punjab, suppose you get a good snow-fall you will get a good revenue, because you can get your sleepers out of the hills; if you have a bad snow-fall, the revenue must be reduced. You estimate in September of one year for the felling season of the following year, and of course you cannot anticipate the snow-fall. That is a very important point in the Punjab.

41386. Your estimate is prepared in September?—Yes.

41387. The Government of India begin their estimates in January and go on to February and March; is it not likely that they will have more correct data?—I did not know that they interested themselves in things of that sort.

41388. Still, if they do that?—If they do, I am surprised that they do not add to some particular budget sub-head; they simply hand it over in a lump sum and leave me to distribute it. I believe they simply work on averages, which is no use.

41389. In the same way with expenditure, you perhaps estimate that more money will be spent in the course of the year than is actually spent?—Most of our expenditure is under budget sub-head A 1(a); again snow comes in there; you are to get a lot of sleepers down, and you have to pay the rafting men to bring them to the depôts; you estimate accordingly; the sleepers do not come down, and you save your anticipated expenditure; but you must have the money ready.

41390. Still ought not the figures to be made as accurate as possible?—I am not prepared to say that we do not make them as accurate as possible.

41391. On the subject of pay and appointments, do you mean that a general proportionate scale should be laid down, and that then the Local Government should have full power as regards additional imperial appointments; that is to say, that they might have a new Conservator?—Yes, I would leave all that in their hands.

41392. You know that the Government of India even cannot do it?—Quite so; that is all the more reason for altering it.

41393. In the same way, with regard to local allowances, the Secretary of State insists on their being treated as part of salary?—I do not know of that; I only point out the result, which in this particular allowance business is very unfair. Cannot the Secretary of State be persuaded to concede that power to the Local Government? After all, in a particular case I am thinking of, it was only Rs. 300 spread over five years.

41394. (*Mr. Hichens.*) At any rate, your point of view would be that, whatever the Secretary of State may say or think about it, these are reasonable powers for a provincial Government to have?—Quite so.

41395. In regard to the salaries of the subordinate staff, the non-gazetted staff, you would leave that practically entirely in the hands of the provincial Government?—Entirely.

41396. You would allow them to fix whatever pay they liked and to make whatever grades they liked?—Exactly.

41397. And a sufficient check to extravagance would be the fact that they only had a certain income and had to make both ends meet?—Exactly. Now our scale of pay is similar to the scale of pay in Burma, or, to take an extreme case, Bengal, but of course the local conditions are entirely different; they have lots of educated men there, and we have very few here; naturally we ought to pay higher salaries to get the same intellectual class of officer.

41398. Although you are prepared to do that with regard to the non-gazetted staff, you are not prepared to do it with regard to the gazetted staff, although the local conditions are equally onerous?—But we cannot recruit the gazetted staff here.

41399. But the local conditions are the same for both either in the case of the provincial or imperial staff. If the local conditions differ in respect of the non-gazetted staff, they differ equally in respect of the gazetted staff?—Not to the same extent. Take an Englishman coming out here. In Burma they get a Burma allowance, because it is an expensive country; but as between my expenses here in Lahore and my expenses in, say, Nagpur, where I was—there is no real difference.

41400. Then the probabilities are that the provincial Government would allot the same salaries, unless of course they wanted to get a superior class of men, and paid special salaries, and that, you think, would be undesirable?—Yes, I do not think I would do that.

*Mr. C. P. Fisher.*  
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*Mr. C. P. Fisher.* If you have a general recruitment from one class of men, as we do now, you must give the same pay everywhere.

15 Apr., 1908. 41401. (*Mr. Dutt.*) We have been told by another witness that you have got in the plains certain tracts of country which you call unclassified forests, which are perfectly unfit for growing any valuable timbers; do you keep them as unclassified forests for grazing or other purposes?—Yes, except when we get a great deal of fuel revenue out of them; they grow a lot of fuel.

41402. Would there be any objection to transferring the management of unclassified forests to the Revenue Department?—It is done in a great many cases. I had a case the other day, the forests under the manage-

ment of the Deputy Commissioner, a big canal case was to be made through them, and the canal contractors wanted to buy a lot of fuel. As soon as the demand arose the Deputy Commissioner came to me and said, "I have no staff to do this, will you manage this for me?" If we do it, it brings in revenue which is credited to the Civil Department. As long as these unclassified forests are mere wastes, they are simply used by the nomad tribes, and it is all right that the Deputy Commissioner should manage what there is to manage; but as soon as the forests begin to be worked, he cannot do it. We have the agency and he has not.

(*The witness withdrew.*)

Adjourned.

## SEVENTIETH DAY.

LAHORE, *Thursday, 16th April, 1908.*

### PRESENT:

Sir FREDERIC LELY, K.C.I.E., C.S.I., *Presiding.*  
Sir STREYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.  
R. C. DUTT, Esq., C.I.E.

W. S. MEYER, Esq., C.I.E., I.C.S.  
W. L. HIGGINS, Esq.

Colonel T. E. L. BATE, C.I.E., I.M.S., was called and examined.

*Colonel T. E. L. Bate.* 41403. (*Sir Frederic Lely.*) Are you Inspector-General of Civil Hospitals in the Punjab?—Yes, I am Head of the provincial Medical Department.

16 Apr., 1908. I should like to see the Director-General of the Indian Medical Service given a more definite rôle in the medical administration; that would bring him into closer contact with its *personnel* and material. Having opportunities of observing the work done in other provinces, his advice could not fail to prove conducive to the attainment of a higher general standard of efficiency. I think it most desirable that both Administrative and Executive Officers should be encouraged to visit the medical institutions in other provinces; they would certainly benefit by doing so.

The procedure that must be followed by Medical Officers before accepting fees for their professional services rendered to Indian gentlemen appears to me to be needlessly cumbrous, besides being open to other serious objections. If the conditions in this country make a check necessary, the matter in question is one that could be very well left to Local Governments. Some change is certainly necessary.

As regards the Medical and Prison Departments, the initiative in the administrative reforms has mainly come from the Government of India; and there can be no doubt that the great improvement effected in prison administration, throughout India, during the past twelve or fifteen years has been largely due to the great interest taken in the question by the Government of India. On the other hand, suggestions emanating from this province have not always been treated as sympathetically as they deserved. The separate system of confinement has been introduced in the jails of the Punjab on the initiative of the Local Government; and it was in the jails of this province that systematic quinine prophylaxis was first carried out.

It would be a sound principle to restrict the right of appeal against orders affecting officers personally to the authority in which the appointment is vested. But I doubt the expediency of introducing a rule requiring that the appeal shall be accompanied by a certificate from the authority passing the order appealed against that reasonable grounds of appeal exist. There would be a natural disinclination on the part of most officers to contribute towards upsetting their own decisions.

Much has been already done in the direction of delegation of the powers now vested in the Local Government during recent years; and it is only necessary that Local Governments should be open to suggestions. For my own part, I have experienced no

hindrance on this account. I cannot recall an instance in which I have failed to obtain a full, fair and prompt hearing for anything I have had to say; but I have encountered difficulties due to financial exigencies. From this cause, initiative has certainly been crippled; owing to it, perspective has been contracted, ideas have been warped, and well-conceived projects have been brought to naught.

If Civil Surgeons could be relieved of the executive charge of the jail at the headquarters of most districts, they could, with great advantage to the people, devote themselves more fully to their professional duties in connection with the hospital at headquarters, vaccination, sanitation, including measures to avert, arrest and mitigate epidemic diseases, and the inspection of outlying dispensaries. The only solution of the difficulty that presents itself to me is to create a class of Superintendent to hold charge of the larger district jails.

If they were better acquainted with the vernaculars, Medical Officers would be much more useful Public Servants, and they would be even more highly appreciated by the people than they are at present. It is an extraordinary fact that officers of the Indian Medical Service are only required to pass by the Lower Standard Examination in Hindustani, while the officers of every other department have to pass by the Higher Standard. From this it would seem that it is regarded as a matter of comparatively little importance that the doctor, who is in a position of all others that needs an intimate knowledge of the habits and customs of the people, should be properly equipped in this respect. Full advantage cannot be obtained from the services of officers imperfectly acquainted with the language of the people with whom their duties bring them in daily contact.

Transfers of Executive Medical Officers are rendered more frequently necessary than they would otherwise be owing to the great differences in value in the emoluments attaching to different appointments. I see no remedy for this in existing circumstances.

41404. Do you have anything to do with sanitary or jail duties?—No, except that I inspect jail hospitals as hospitals; otherwise I have no interest in jails.

41405. You say that you would like the Director-General of the Indian Medical Service to be given a more definite rôle which would bring him into closer contact with its *personnel* and material; can you amplify that a little?—I think it very desirable that an officer in the position of the Director-General should

go round and inspect the institutions in a province, so that he would be able to make suggestions as to what is going on in other parts of India. It is also very desirable that he should know the officers thoroughly, because there is a great deal of patronage in the hands of the Government of India, and in the bestowal of that patronage all the officers should have a fair opportunity of sharing.

41406. Do you mean that he should make more frequent tours?—Yes.

41407. Does he go round at all at present?—The Director-General comes round here, but not officially; for instance, I do not have any cognizance or any intimation of his visits.

41408. Have you an opportunity of colloquy with him?—I see him at Simla, but not when he comes round here. The idea I have really is with regard to patronage. It would be a great incentive to officers to do their very best if they knew that their work would come under the observation of the Director-General, of whose hands lies the medical patronage of the Government of India.

41409. Would there not be some danger of collision with the local authorities?—I do not see that there should be; he could advise and make suggestions.

41410. Is the patronage of the province practically in your hands?—Yes, and the Director-General is in the same position in regard to the Government of India.

41411. Does he make suggestions for the improvement of medical administration in the province, or do you come into contact with him in any way at present?—No, hardly at all.

41412. Have you any suggestions to make for ensuring more co-operation with the Medical Department on the part of Civil or District Officers?—Speaking generally, I should say that the Civil Officers co-operate very thoroughly with the Medical Department, and I think Civil Officers are always well disposed to help in every way they possibly can. Some of them, in a very marked degree, take a great deal of interest in medical administration.

41413. Does their co-operation go as far as is safe, that is to say, does it only stop short of interference in medical matters?—Yes; they do not interfere at all, but they help in every way they possibly can.

41414. Have you Visiting Committees for every medical institution in a district?—I do not meet them. There are sub-committees of Municipal Committees which visit institutions maintained by Municipal Boards.

41415. Does that include civil hospitals?—Yes, and branch dispensaries.

41416. Does every one of these institutions possess a visitors' book?—Yes, under the rules.

41417. And also committees who are encouraged to visit these places periodically.—Yes.

41418. Do they make suggestions in the visitors' book?—Except the Deputy Commissioner and Commissioner, the members of the committees very rarely make suggestions.

41419. Are the members of the committees mostly Indian?—Yes.

41420. And as far as you can judge, they do not take much interest in these institutions?—If I may judge from the remarks which reach me, I should say so.

41421. You say that you feel bound to say that the suggestions emanating from this province have not been always treated by the Government of India as sympathetically as they deserve. Can you give an instance or two of that?—I made a suggestion a year or two ago that there should be a Central Bureau of Intelligence, which I considered very desirable in a scientific department, but it was not accepted by the Government of India, although it was very strongly recommended by the Punjab Government, and the Lieutenant-Governor expressed his willingness to devote provincial funds to the object.

41422. On what ground did the Government of India decline?—They said it would be too expensive. The argument depended upon a similar institution which existed in Berlin for the dissemination of medical knowledge, which is contributed to by something like 60 or 70 persons.

41423. Then it was strongly recommended by you, and the Lieutenant-Governor offered to provide the money?—He said he would contribute to it. The suggestion that I made was that it should be worked very much on the same lines as devised for the Revenue and Agriculture Department, and that there should be officers at headquarters who would watch what is going on in Europe and America, and put it before the officers of all grades of the Medical Services in this country. It is especially necessary in India where men have not the opportunity of meeting each other very much; several young officers have made a similar suggestion to me independently.

41424. Have you any other instance to give?—Yes. I passed on a suggestion that was made by the Superintendent of the Lunatic Asylum here to the effect that criminal lunatics should be separated from ordinary civil lunatics. At present they are all accommodated in the same institution.

41425. Was that proposal rejected?—That proposal was rejected on the ground mainly that if large institutions were established for criminal lunatics, you would have a sort of Babel—that there would be many men talking different tongues. You would have men from the Punjab, men from the North-West Frontier Province, and different parts, which would create great difficulty.

41426. Was that proposal supported by the provincial Government?—It was.

41427. Did the question of expense loom rather large in it?—I do not know that that was mentioned.

41428. Have you a civil hospital at the headquarters of every district?—Yes.

41429. Is it supported entirely by Government?—No; it is supported entirely by the local body concerned.

41430. Apart from the pay of the Medical Officers, does not the provincial Government contribute practically to the medical work?—It contributes a certain amount of the pay of the Assistant Surgeons, but, apart from that, nothing else. As a rule every municipality maintains its own hospital, and sometimes where you get a poor municipality the District Board maintains the institution, the municipality contributing.

41431. Are the hospitals under the management of the local bodies?—Yes.

41432. Apart from the visits of the committees you have mentioned, is there any other contract between the local bodies and these institutions?—The local bodies vote the budget, and they provide the funds.

41433. That is, the funds you demand?—No; they make their own budgets; the Medical Officer is asked for an estimate, and the amount of the requirements is sanctioned.

41434. Do they ever refuse the full fund demanded?—Yes, I believe they do; that is not an uncommon thing, but I have no contact with the local bodies in that respect.

41435. Supposing the grant they made was not sufficient in your opinion for the efficient up keep of a hospital, would you go to Government in regard to it?—No; I would urge the Local Medical Officer to go again and again to the local body and ask for more.

41436. And if the Board was obstinate what would you do?—A case of that sort has not come before me, but I have represented to the Local Government that the funds provided are quite inadequate.

41437. Do you generally find that a second demand is sufficient?—Yes; I think the local bodies are well inclined to meet the demands of the medical institutions.

41438.—But have you difficulty sometimes?—Yes. The funds provided are in my opinion altogether inadequate, and I have represented that officially more than once, that is to say for the thoroughly efficient maintenance of the institutions.

41439. Does Government provide part of the pay of Assistant Surgeons?—Yes; there is an arrangement by which Assistant Surgeons' pay is debited to provincial funds, the local body contributing a certain proportion. That arrangement was made some four or five years ago.

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41440. Is the proportion about half and half?—I could not say in what proportion it is, but I should imagine that the local body subscribes about two-thirds and the Government subscribes the balance.

41441. Do the local bodies provide all the other expenses connected with these institutions?—Except the pay of the Civil Surgeon, they pay for everything, for the medical establishment, maintenance of buildings, the diet of the patients, the clothing and everything else.

41442. Is not the entire control and supervision in the hands of the department?—Pretty well.

41443. The Board could not say that the diet should be so and so, and that the clothing should be so and so; they could not issue orders with regard to those matters?—I think they could, and as long as they wish to improve things, there would be no objection; but if they wished to give less than sufficient, there would be great objections.

41444. Do the local bodies appoint officers, or would you allow them to select well-qualified men themselves?—The officers are appointed departmentally as a rule, but before transferring an officer, if time permitted, I should write to the Civil Surgeon and ask him to obtain the views of the local authority and whether there was any objection to that officer being transferred. I do that when it is possible, but I cannot do it always because we are sometimes greatly pressed and have to relieve a man immediately, and if I were obliged to write and consult different people, I might be left without a man sometimes.

41445. Would you have any objection to giving local bodies a larger control over these institutions for which they pay most of the expenses?—Before offering an opinion, I would like to know what they would definitely expect. If some definite scheme were put before me, I should feel in a better position to offer an opinion. Of course I should have no objection to anything which would be calculated to improve the efficiency of the institutions, and I should be very glad to see the local bodies taking greater interest in them.

41446. Has no proposal of that kind ever been placed before Government?—The late Sir Denzil Ibbetson urged me to consult the local authorities in every way, and in accordance with his wishes I have done so, but the exigencies of the Service do not always allow of that being done.

41447. Besides the Indian Medical Service, is there not the Provincial Medical Service consisting of Assistant Surgeons and others?—There is what is called an Uncovenanted Medical Service, but we have only two officers in it, and it has not been recruited for many years.

41448. Have you only two Assistant Surgeons?—No; we have 89 Assistant Surgeons altogether, but we do not call them of the Provincial Service.

41449. How are they recruited?—We take them from the colleges; they pass out of the Lahore College and come to me; the first two men always get appointments, and the others are appointed as vacancies occur. For some years past all the men passing out have been given appointments in the Plague Department before coming into the Medical Department, but the appointments in the Plague Department are of a temporary nature.

41450. Are the appointments made on your recommendation by the Punjab Government?—The appointments are made upon my recommendation.

41451. And any orders for transferring them from one district to another are passed by the Government?—I have complete control over Assistant Surgeons as to transfers and promotions.

41452. Do you find these Assistant Surgeons satisfactory men?—Very good men.

41453. What pay do they begin with?—Rupees 100 a month to begin with and they go up to Rs. 150, Rs. 200 and Rs. 300.

41454. Do you find that education here is equal to that of other provinces?—We are improving it, and turn out quite good men.

41455. Is there not some talk of transferring the Medical School to Amritsar?—Yes. I have made a suggestion to that effect, because I think that the two classes cannot be satisfactorily taught in the same

institution. There are men being educated on different planes, and that is not calculated to produce efficiency. Therefore I have suggested that the hospital assistants should be removed to some place outside Lahore.

41456. Are these hospital assistants in charge of any of the outlying dispensaries?—Yes, a great many.

41457. Are most of the dispensaries in charge of Assistant Surgeons or hospital assistants?—All the headquarters hospitals are in charge of Assistant Surgeons; most of the outlying dispensaries are in charge of hospital assistants.

41458. Have they given satisfaction as a rule?—They have given satisfaction. Of course you judge them by a certain standard, and according to that standard I think very well of them, but I do not say that the standard applied is a very high one. They have improved of recent years, and are steadily improving. They do excellent work, and many of them splendid work.

41459. Are those outlying institutions supported by municipalities and District Boards?—They are supported generally by District Boards.

41460. Have the District Boards any committees to inspect the institutions, or do the members sometimes visit them and make remarks about their management?—That is an exceptional thing, but they can do so; they are authorized to do so.

41461. Is the Civil Surgeon generally the Head?—He is the local Administrative Officer.

41462. And he inspects all the medical institutions within the district?—He visits the hospital at headquarters generally daily; the outlying dispensaries he visits once in three months, and outlying dispensaries, in charge of Assistant Surgeons, he visits once in six months.

41463. Is a copy of his inspections sent to you?—Yes, at once.

41464. (Mr. Hichens.) Are any provincial hospitals paid for out of provincial funds entirely?—Yes, the Mayo Hospital in Lahore, and, of course, all jail hospitals, but the one named is the only State hospital.

41465. (Mr. Meyer.) And, I suppose, the police hospitals?—Yes, and also canal and railway hospitals.

41466. Are the majority of the hospitals which are maintained out of local funds quite small?—Yes, except those at headquarters. Some of the headquarters hospitals have as many as 150 beds.

41467. Who is in charge of those hospitals?—An Assistant Surgeon, who would be under the immediate supervision of the Civil Surgeon.

41468. Are the Assistant Surgeons Indians?—Yes, invariably in this province.

41469. Supposing the Service was made over entirely to the local authorities, and they had to do their own recruiting, and were responsible for the pay and pension and everything else, regarding the Assistant Surgeons and hospital assistants, do you think the Service would work at all satisfactorily?—I do not; it would be very unsatisfactory.

41470. Would that get as good a class of men as you get to-day?—I take it the existing arrangements would continue, and that the Medical College would exist all the same, whether they appointed their own men or not.

41471. Would men join as readily?—I do not think they would; one of the great inducements to men taking service is that it is Government Service.

41472. The service of a District Board would be at least a class or so lower in their estimation?—I should certainly think so.

41473. And that would be one serious objection?—Yes.

41474. With regard to efficiency, I suppose the Head of a smaller hospital requires a good deal of supervision?—Yes; they are visited once in three months—that is, what we call an outlying dispensary—and the attendance and the equipment are looked after, which is very essential, and a good deal of technical knowledge is required to do it satisfactorily.

41475. If the local bodies were made responsible for the success or failure of these institutions, would they take substantially more interest in them than they do

to-day, or would they adopt a *laissez faire* attitude?—They have not had the opportunity yet, and it is rather assuming the rôle of a prophet to say what they would do in certain circumstances. I am afraid they would not; but, at the same time, I was for a long period associated with local bodies myself, and I should be very sorry to say anything to their detriment, and if they had greater opportunities, or if they had greater control, possibly they might take greater interest. But, so far as I can judge, I am afraid that a great deal could not be expected of them in that direction.

41476. So that, if the Service were handed over to the entire control of the local bodies, one would have to face a substantial falling-off in the quality of the work?—I should say that is a certainty.

41477. Would you agree with the other side of the picture, which is that to-day they do very little except find the money?—Yes, very little.

41478. There is no incentive to finding any money if one cannot ensure that it is well spent?—Yes; I have never heard a doubt expressed that the funds supplied have not been judiciously expended, and I have never heard any question raised in that connection; but if a man has control over the money, he will take greater interest, in all probability.

41479. Is it not only human nature, that a man should prefer to spend his own money even badly, than allow other people to spend it well?—But unfortunately it would not be his own; it would be public money. The great objection to adopting a change such as you suggest is that these appointments vary a great deal in value. Taking, for instance, Assistant Surgeons, we have some hospitals where the officers make a great deal from private practice; in fact, they make handsome incomes, which is quite recognized, but on the other hand we have hospitals at places where they make nothing; in the case of a lucrative appointment you would have every man in the province wanting to get it, while, in the case of the poorer appointments, you would not be able to get any one to accept them.

41480. Do you mean literally nobody?—I do not think anybody would go, and with regard to some appointments, I have to make men pretty well go to them, because they are so unpopular. In some parts of this province there are places very much out of the way where the communications are very bad and where the hospital assistants are to all intents and purposes foreigners, so that they hate going there.

41481. Practically speaking, is the supply of medical men not equal to the demand?—Yes. When you get a much larger number of medical men than there are appointments, you will have competition. As the conditions of life become harder, and competition becomes keener, you will get men to go to the poorer places, and that is a thing which is quite recognized; it is one of the objects I have in suggesting that we should increase the outturn from both the college and the school.

41482. Then you would not suggest any devolution of power to local bodies to-day?—No; I should be very glad to see them take a greater interest in the institutions, and that they should be encouraged in every way.

41483. But you cannot suggest anything in that direction?—No, I cannot.

41484. With regard to jails, are there Visiting Committees in this province?—Yes, there are Visitors, not Visiting Committees.

41485. Are they appointed by the Government?—They are appointed on the recommendation of the Deputy Commissioner, and the recommendations are forwarded through the Commissioner and the Inspector-General of Prisons.

41486. Do they ever make any illuminating remarks in their reports?—They do not really know very much about jail administration, but they do their best. The system has only been in existence for a few years. I introduced it myself when I was Inspector-General of Prisons. The chief object of it is that the outside members of the public should have an opportunity of going in to see that there is nothing hidden inside the jail walls, and the jail officials have very strict orders to afford them every possible facility in making their inspections.

41487. (Sir Steyning Edgerley.) Are not the great mass of hospital assistants employed in their work under the District Boards and municipalities?—Yes.

41488. There are very few doing direct Government work?—There are those in the police, jails, canals, and railways—all those men are in Government employment.

41489. Supposing one were to say that hospital assistants in the dispensaries, under local bodies, should cease to be Government servants, and should become the servants of local bodies, would that materially choke them off, and would they all rush to employment under Government or the railways?—I think, for ordinary dispensaries, they would prefer being in Government employ, but you would get men in appointments, such as there are at Amritsar and Delhi, which are lucrative appointments, but on the other hand, you would not find men who would go to the poor places.

41490. Do local bodies still have to contribute a certain proportion of their income to medical work?—Yes, but that is not rigidly adhered to.

41491. Does that not rather cut into their volition?—It does, but a great many of them do not contribute the enforceable minimum.

41492. Is it a good plan that they should be forced to give so much per cent. towards local work, or school work, or anything else, for that matter?—I do not think myself that it is a bad thing to have a minimum, but they can give as much more as they like.

41493. But the complaint is that every department exacts such a large minimum, that there is nothing left?—We do not get enough, or anything like enough.

41494. There have been no further orders issued on the subject?—Not on this matter, which is now under the consideration of the Government.

41495. You say that the late Sir Denzil Ibbetson desired you to consult these local bodies as far as possible. Before that, did you consult them in regard to matters that affected them?—I sometimes wrote to the Civil Surgeon, who was my channel of communication.

41496. Then Sir Denzil Ibbetson instituted a new departure?—Yes, there was no order requiring it to be done.

41497. Do the local bodies have to contribute to the cost of the local college or schools?—Some of them give scholarships.

41498. Did you not make them pay a percentage of the up-keep charges, and so forth?—No.

41499. Do they still have to pay for clerks in the Civil Surgeon's office?—They do.

41500. Is that right?—I do not think so.

41501. Are you going to propose to do away with that?—I have already made a proposal to that effect.

41502. With regard to the medical fee question, have not revised orders been issued?—Yes.

41503. Do they meet with your approval?—They do not. I do not think it is a matter which ought to be referred to the Government of India at all; it should be left entirely to the Inspector-General of Civil Hospitals, subject to reference to the Local Government. I think, myself, that the present orders about fees are very much resented.

41504. We were told at Simla that the Government of India had issued revised orders all round. Have you seen them?—I have had no orders within the last few months.

41505. Then you say that the right of appeal by an officer should be restricted to the authority appointing him, but would not that be rather hard on a man, and never give him an appeal at all?—I think not. For instance, I appoint a hospital assistant, and he will have an appeal against the Civil Surgeon's orders to me.

41506. Who dismisses the hospital assistant?—I do.

41507. Then if you were to dismiss him, he would have no right of appeal beyond you?—But some one must dismiss him, and he reaches that point at some time, and he only reaches it a little earlier with me.

41508. Is it not fair to give a man one chance, because it is possible that the man who dismisses him

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may be prejudiced against him, and might not have a judicial mind?—So far as the personal factor goes, I am not in contact with the hospital assistant's work at all—he would be reported to me by a subordinate officer.

41509. Have you many jails in this province?—Yes, a good many.

41510. Is there one in every district?—I think there are, with a few exceptions. We have not got one at Gurgaon or at Muzaffargarh.

41511. Would you be in favour of making local officers here pass an examination in Punjabi?—Yes, certainly; I think myself, with regard to a Medical Officer who does not know the language, Government are paying for an article which they really do not get; it is important that he should know the language, however good a doctor he may be.

41512. Is not the Indian Medical Service reserve in the hands of the Director-General?—Yes.

41513. It has been suggested in some provinces that it should be broken up and given to the Local Government of each province, would you be in favour of that?—It would be a great help to us, but I do not know sufficient of the present situation to be able to say whether it would be a good or bad thing; I should like to know more about it before expressing an opinion.

41514. It has been suggested, also, that while young Indian Medical Service Officers are doing their military work, if there is no regimental charge open to them they might do their apprenticeship in civil hospitals and be temporarily at the disposal of the civil authorities. Would you be in favour of that?—It is very desirable that a young officer coming out here should be attached to a regiment, but at the same time I should be very glad if he could be attached to a civil hospital, because he would have greater professional opportunities.

41515. Could the two be combined at all?—I think he might first go to a regiment, say, for 12 months, and afterwards he might be attached to one of our large civil hospitals.

41516. And then go back to his regiment?—After a time.

41517. How long would you send him to the civil hospital for?—Say six months, subject to the exigencies of the Service.

41518. That is to say, if the military people wanted him back, he would have to go back?—Yes.

41519. Are you satisfied with the present way in which you get officers when you ask for a new recruit. Is it not done by pure seniority at present?—There is a list in the Director-General's office, and recruits are sent out according to the list; we are not allowed to apply for any particular officer; we get them according to their position on the list.

41520. By seniority?—No, not necessarily by seniority.

41521. Assuming that you have had these young men for six months or a year at the civil hospital, would you not be able to select those you thought fit for civil employment?—Yes, no doubt, because it would give us a good opportunity. We have the opportunity here already, because we have a number of officers who are doing plague work, and we can very easily tell those we would like to have, but we cannot always get them.

41522. Would it be a great improvement if by some system you were able to *visit* the officers before taking them?—Yes, but the men we lose another province gets, so that it would not do for us to have all the good men; if we do not get the best man always, he goes elsewhere.

41523. Does he remain in military employ?—Not necessarily; he very likely goes to another province.

41524. As I understand, the system in London is that when they pass these men say they want civil employ in a particular area, but if that area does not select them for civil employ, they have to remain in military service?—We do not select them at all.

41525. But if you had the right of selection and said, "This man is not up to civil employ," would he not have to stay in military employ?—I suppose he would if he selected a given area, and that area would not have him—there would be no alternative, but that would not be a good thing for the man, or the army.

41526. Have you any knowledge with regard to the fees which Indian practitioners in this province command?—Generally, but I have not a very intimate knowledge. I believe Assistant Surgeons ordinarily get Rs. 5 a visit, and hospital assistants one or two rupees.

41527. I am speaking of a highly qualified Indian practitioner?—That is what he gets for ordinary visits.

41528. Have you any men here with a London qualification?—We consider the local qualification a good deal better.

41529. Is Rs. 5 as much as he would expect to get?—Yes.

41530. But suppose he goes a long journey to attend a patient?—Then he gets special consideration.

41531. How would his fees compare with those of a European officer?—He would not get as much as a European; he would not be offered so much.

41532. Is there a fair supply in Lahore of highly-qualified Indian practitioners?—Yes; there are a good many practitioners here. We are particularly well off, because we have all the lecturers in the school, and in addition there are several retired men who are practising in Lahore besides private practitioners.

41533. Suppose the Raja of Patiala or some one else did not care to pay the fees charged by a European, could he get efficient medical attendance from an Indian in Lahore in case of emergency?—Certainly.

41534. Have you any experience as to cases where details have been reported which have prevented gentlemen calling in practitioners of the Indian Medical Service?—No, such reports are confidential, and they only go to the Head of Department, who treats them confidentially.

41535. But is it the fact that these reports are made known in the province and prevent people calling in Indian Medical Service Officers?—I should not think so; I have never heard it suggested.

41536. You think you should have power to revise establishments which do not involve the creation of new appointments upon pay exceeding Rs. 250 a month. Might that not affect provincial finances a good deal?—It might if it were done recklessly; of course, it would not be done on any large scale.

41537. Would you put any limit on the total expenditure you might incur in a year in that way?—It would be wise to do so, for financial reasons.

41538. Then you suggest that you should have the power of dismissal and punishment of Assistant Surgeons; are they not appointed by Government?—They are in the first instance.

41539. Do you think you could dismiss, and leave them with an appeal to Government?—Yes.

41540. Would you apply that to hospital assistants and allow the Civil Surgeon to dismiss with an appeal to you?—No, because it is a good thing to keep out the personal element. The man at headquarters judges the case on its merits as it comes to him, and simply deals with it on the facts before him, whereas the local man may be prejudiced.

41541. But would not an appeal safeguard that, and the local man is the person who can actually go into a hospital or dispensary and ascertain the facts?—Yes, certainly.

41542. But still you would not give the power?—No; I do not think I would.

41543. Then you also said that you should have power to sanction as regards grants-in-aid. What would the Financial Department again say to that?—I suppose they could arrange it by giving me a budget.

41544. Or a reserve to distribute?—Yes.

(The witness withdrew.)



Mr. J. C. GODLEY was called and examined.

41545. (*Sir Frederic Lely.*) You are the Officiating Director of Public Instruction?—Yes, since October 1907. I have had experience since 1888 of educational work in India.

The department comprises the Director of Public Instruction and 46 Gazetted Officers: 15 in the Indian Educational Service and 31 in the Provincial Educational Service. The higher professional staff of the Government College are, with one exception, in the Indian Educational Service, while the higher inspecting staff are equally divided between the two Services.

The Director is also Under-Secretary in the Home (Education) Department. In this capacity he takes orders from the Lieutenant-Governor on matters which would ordinarily be submitted through the Secretariat by other departments, such as the disposal of the gazetted staff, the award of the special grants, and University questions. Questions involving expenditure, however, are ordinarily submitted to the Lieutenant-Governor through the Financial Department of the Secretariat. As Director, he makes all appointments, promotions, and transfers in the Subordinate Educational Service on his own responsibility, and controls educational expenditure, subject to budget provision. A few institutions are under his direct control, and he conducts certain departmental examinations. He is *ex-officio* President of the Text-Book Committee, and a member of the University Syndicate. Miscellaneous questions relating to grants-in-aid, the interpretation of the Educational Code, &c., are referred to his decision.

Educational interests do not appear to suffer from undue centralization. Delegation in matters of detail, such as the grant of honoraria and the power of sanctioning temporary appointments, might probably be extended with advantage. References to the Government of India, however, are seldom found to be necessary. The appointment of a Director-General of Education has not led to centralization of control, because the Director-General has no administrative functions. The title is, in fact, a misnomer. The general lines of educational policy are laid down by the Government of India, and the provincial Governments endeavour to carry them into effect, so far as local conditions permit. There is nothing to show that the Director-General is in any way responsible for the policy of the Government of India. It is presumed, however, that he has been consulted, and it is obviously very desirable that when formulating their views on education, the Government of India should have an educational adviser at hand to consult—preferably a man of practical experience gained in India, and not a mere theorist. So long as each province shapes its own educational policy, subject only to the general guidance of the Imperial Government, a Director-General in the ordinary sense of the term is a fifth wheel in the coach.

The powers of the Director of Public Instruction are perhaps unnecessarily restricted in certain details, but I do not emphasise this point. As Under-Secretary to Government, he has direct access to the Lieutenant-Governor, which ensures full and immediate attention being given to educational matters.

Delegation of powers to inspectors of schools might probably be carried further than at present, as in the matter of appointing the junior teachers of Government schools. The extent to which responsibility can be safely delegated depends upon the status and *personnel* of the inspecting staff: in the Punjab only three of the six inspectors are in the Indian Educational Service.

There is a strong feeling that the rules of this department curtail and hamper the powers of the local officers, who are in the best position to gauge the needs of their districts. It is argued that local self-government becomes a fiction if the Education Department is allowed to claim a certain proportion of the local funds, and to decide how it is to be spent. Local bodies naturally lose interest in the management of their affairs when departments are authorized to usurp the management, and the gain in educational efficiency is not enough (it is said) to compensate for the loss of local interest. Departmental control from the centre may be assumed to mean co-ordination of

system and supervision by experts. When it is slack or nominal, as in certain Native States, the teachers are ill-paid and ill-qualified, and popular education stagnates. The experiment of localizing the large secondary schools was tried in 1886, and proved a failure. It was found that the Municipal Committees were unable or unwilling to pay for improvements, and that the members who took most interest in the schools were those who wanted to provide jobs for their relatives. In 1904 the schools were again taken over by Government, a measure which gave general satisfaction, and in 1905 the power of appointing and promoting all teachers in Board secondary schools was transferred to the department. The schools still under the control of Municipal Committees are among the worst managed of their kind.

The system now in force is that twenty-nine high schools are entirely controlled by the department, all appointments, &c., being made by the Director. The remaining secondary schools are either under independent management, or under District and Municipal Boards. Appointments in Board secondary schools are made by circle inspectors. Primary schools are entirely managed by local bodies, missionary and other societies, and private individuals; but in the case of aided schools, the department fixes the grant to be paid by the local body, or from provincial funds.

Articles 416–418 of the Education Code prescribe the minimum proportion which local bodies may be required to spend on education. The wording of these rules is vague, and what the department assumes to be an enforceable minimum, the Boards understand to be a maximum which may or may not be required. Friction might be avoided if local bodies were allowed to fix their own expenditure, with the proviso that the contribution from imperial or provincial funds would be proportionate. But it is difficult to see how the particular apportionment of educational expenditure can be left entirely to the discretion of local bodies. There must be uniformity of system, and the department, as an inspecting agency, is bound to see that the system is enforced. The district inspectors of schools, who are the agents of the Deputy Commissioners in educational matters, must continue to be guided by the rules of the department, and to look to the department for approval. An increase in the powers and responsibilities of the agents of the Boards would necessitate a raising of their status. The pay of a district inspector now ranges from Rs. 100 to Rs. 160, and compares unfavourably with that of the headmaster of a high school. The award of grants, for instance, could not be safely entrusted to an officer of relatively low status. An additional argument against giving District Boards a free hand in financing education, is the fact that these bodies receive considerable grants for primary education from imperial and provincial revenues, and there ought to be a guarantee that such grants are utilized on the object for which they are given. Also it is quite possible that the progress of education in the different districts might vary with the proclivities of the Deputy Commissioners, if there were not close departmental scrutiny and supervision.

I do not think, therefore, that the control of education could be safely delegated to local bodies in a much greater degree than at present. But something might be done in this direction, *e.g.*—

- (a) Local bodies might be released from the obligation to provide a fixed percentage for education, on the condition suggested above.
- (b) The Educational Code might be simplified, so as to remove restrictions which are felt to hamper the action of local bodies.
- (c) The status and responsibilities of district inspectors might be raised.
- (d) Circle inspectors might be brought into closer association with the District Boards. They should be asked, for instance, as in Bombay, to attend the meetings of the Boards at which the budget is discussed. There will always be chances of disagreement when one set of people call the tune, and

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another set have to pay the piper ; but there is less likelihood of it when they meet in consultation beforehand. A department should work in harmony with the local authority, and not seek to override it.

41546. You speak of 29 high schools being entirely controlled by the Education Department ; are they paid for by Government ?—Yes, they have been provincialized since the beginning of 1905.

41547. Is there any contribution made by local bodies ?—A contribution is made on the basis of what they formerly paid, but the management entirely rests with Government.

41548. And the local bodies merely have the privilege of helping to pay for them ?—Yes, because they receive a certain amount of benefit.

41549. What do they receive in return ?—They are entirely relieved of the charge of maintaining the school, and as the boys of the town are being educated there, it was thought proper that they should pay something.

41550. That is assuming that a high school education is a proper object for local funds ?—Yes.

41551. Do the Local Boards or municipalities pay contributions ?—The municipalities do.

41552. What are Board secondary schools—are they high schools ?—The Board secondary schools are usually middle schools, but include a few high schools.

41553. Are they what would be called anglo-vernacular schools ?—They are anglo-vernacular and vernacular.

41554. You say that appointments in them are made by the circle inspectors ; are the circle inspectors Government servants or Board servants ?—They are Government servants.

41555. Whom are they paid by ?—By the Government.

41556. Has the municipality or District Board no connection with them at all ?—Not as regards payment. The inspector is supposed to be in touch with the local authorities, including the Boards, as an adviser.

41557. But in no other way ?—In no other way.

41558. What is the force of your remark that the remaining secondary schools are either under independent management or under District and Municipal Boards ? Do you mean that they are under the management of the District and Municipal Boards ?—Yes.

41559. In what respect do they manage these secondary schools ?—The secondary schools are paid for by the Municipal Boards, but the appointments, promotions, and transfers of teachers are made by the circle inspectors ; that is an arrangement which has lately come into force.

41560. Then by saying they are under District and Municipal Boards, all that is meant is that the District and Municipal Boards pay for them ?—The connection is closer than that, although in practice the control does not amount to much.

41561. Is there any difference between the connection of the District and Municipal Boards with these high schools and the connection between those Boards and the middle schools ?—The chief difference is that the staff in one case are Government servants and are paid by Government, while in the case of Board schools they are servants of the Municipal Committee and are paid by the Municipal Committee.

41562. Is there any practical difference except that the source of their pay is different in each case ?—There is not very much difference.

41563. Are both classes of schools entirely under the orders of the department ?—No, for in the case of municipal schools the inspector is supposed to act with reference to the Municipal Committee, and in the case of Government schools there is no local body to be consulted.

41564. In such a matter as the punishment or dismissal of a master would he consult the municipality in the case of a middle school ?—He would be expected

to ; my practice was in regard to an important appointment to ask the municipal people to name their own man, and if he was qualified I accepted him.

41565. I suppose most of the middle schools are in municipalities ?—No, a large number of middle schools are maintained by the District Boards in large villages.

41566. You say that circle inspectors are expected to consult municipalities on the details of management, but as a fact do they, and have the municipality or the District Board any direct hand in the management of these middle schools ?—Financially they have, *e.g.*, in providing furniture and apparatus.

41567. When are they called upon to pay ?—Not in the case of apparatus, because that would be entirely at their option. The department simply reserves the right of nominating, transferring and promoting the masters, but in every case of promotion the Municipal Committees are consulted, because obviously it would be impossible to promote a master if the Committee had not the funds to pay him.

41568. Have cases ever happened of a municipality or a District Board refusing to meet any demand made by the department ?—The department has no right to demand funds for apparatus and furniture ; it can only point out the needs of a school.

41569. But what is the actual practice ?—The actual practice is that the municipalities meet the inspector's wishes as far as they can.

41570. If they do not bring a certain amount of pressure upon them ?—No, we are unable to bring pressure upon them.

41571. If they do not accede to your demands, do you write to the Deputy Commissioner ?—No.

41572. Do you simply accept their decision ?—Yes.

41573. In the case of primary schools, does the District Board decide on the location ?—Yes.

41574. Does it pass an order that in such and such a village a school is needed ?—Yes. The District Board has entire power to fix the school and appoint the staff.

41575. Do they inform you of their intention to start a school ?—Not necessarily.

41576. Have they full power to appoint masters ?—They have full power to start any school in any place and appoint the masters, provided they comply with the rules of the Code.

41577. If they choose to select a master from a qualified list and appoint him to a village school, has the department anything to say in the matter ?—Nothing whatever, and no information is communicated to the department.

41578. When the school is started are you informed of it ?—No ; not in the case of a primary school.

41579. Who inspects primary schools ?—They are inspected by the district inspector.

41580. Is not the district inspector under you ?—He is partially under the department, that is to say in regard to technical matters ; otherwise he is at the disposal of the Deputy Commissioner.

41581. Is he appointed by the Board ?—No.

41582. Who is he appointed by ?—By the department.

41583. He is appointed by the department and paid for by the Board ?—No ; he is paid by Government.

41584. Does not the Board contribute ?—No.

41585. Is he entirely and in every respect a Government servant ?—Yes.

41586. And the Board has no control over him at all ?—Yes ; he is supposed to be an agent of the Deputy Commissioner, and it is the Deputy Commissioner who gives him casual leave.

41587. In what capacity, as Chairman of the District Board ?—As Chairman of the District Board and Deputy Commissioner, but chiefly as Chairman of the District Board.

41588. Is it not rather an anomaly that a Government servant should be under the orders and control of a District Board. Are you quite sure that that is a correct statement of his position ?—He is certainly under the orders of the Deputy Commissioner.

41589. As Chairman of the District Board, or as the representative of Government?—I do not know. I have never enquired into the distinction.

41590. Does this inspector send his reports to you as to his inspections or to your subordinates?—He sends a statement of his inspections to the circle inspector, through the Deputy Commissioner.

41591. Is he a Government servant?—Yes.

41592. Does he report upon the state of the school?—Yes.

41593. Then does the circle inspector take any action upon that?—The circle inspector has no right to take action.

41594. But supposing he found something very radically wrong in a school, or that the master was entirely inefficient, to whom would he apply to rectify things?—The inspector would inform the Deputy Commissioner.

41595. As Chairman of the District Board?—I suppose so.

41596. Can your department do nothing besides bringing it to the notice of the Deputy Commissioner?—No.

41597. (*Sir Steyning Elgerley.*) Do your Education Codes compel you to refer to the Government of India, or do you simply have to go up when financial sanctions are required? Can you do anything you like in the province with regard to education provided you do not want financial sanction?—On certain questions it would be necessary, of course, to obtain the sanction of the Government of India, for instance, as to the disposal of imperial grants.

41598. But apart from money are you required to go up at all?—As to the organization of the Service it would be necessary to go up.

41599. Is that not a question of money? Was there not a general policy laid down in 1904, and subject to the need for financial sanctions, are you not perfectly free to work it out as you choose?—I am afraid that that is a question upon which I cannot give any decided opinion.

41600. What does the Education Code consist of? Is it a code peculiar to the Punjab?—No; it is framed on the same lines as similar rules in other provinces.

41601. Can you describe it more definitely?—It deals with the conditions as to grants-in-aid, and it contains rules as regards curricula, school-discipline, and in short all the details connected with the working of recognised schools.

41602. Does it apply to local bodies?—Certainly.

41603. Do you advocate a change in the system of grants, and would you simply give a promise to Local Boards that Government will meet their expenditure on education by a proportionate grant?—You say that friction might be avoided if local bodies were allowed to fix their own expenditure with a proviso that contribution from imperial or provincial funds would be proportionate, and later on you say that local bodies might be released from the obligation to provide a fixed percentage for education on the condition which you previously suggested; do you suggest that the contribution should be *pro rata*?—That is the Bombay system, and it seems to be a good principle, but whether it would be practicable here or not I do not know.

41604. Is that what you meant to suggest?—Yes.

41605. If you have that system, and if you have certain essentials laid down by your Grant-in-Aid Code to entitle them to that grant, why do you say there must be uniformity?—Why should there be any more uniformity, and why should they not be left free if they earn their grant?—I meant uniformity of system, *e.g.*, in awarding grants to schools.

41606. There are only about half a dozen conditions in the case of an ordinary grant-in-aid?—Yes.

41607. Subject to these conditions why do you want uniformity any further; why cannot Local Boards be free to model their education as they please?—I think they ought to be guided by general principles, for instance, in regard to expenditure of different kinds upon primary education.

41608. But is not the whole thing primary? Are not your grants primary?—Not entirely.

41609. Do you give Local Boards grants for secondary education here?—No.

41610. Then why should you want more uniformity than is required by simply a sufficient compliance to earn the grant?—I was thinking simply of general principles, not of any particular rules.

41611. Then you also say that there ought to be a guarantee that such grants are utilised in the object for which they are given, but if the change you suggest of a *pro rata* grant was made, would not the mere fact that it was a *pro rata* grant provide that, because if they did not spend the money they would not get the grant?—Yes.

41612. So you do not need the interference of the department to acquire them?—It is not absolutely necessary.

41613. Are you able to institute any comparison with the position of education in the Punjab and in the United Provinces? Do you consider that the Punjab is more advanced than the United Provinces in that respect?—I have always understood that the United Provinces were, educationally, the most backward province in India.

41614. Cannot you give more than a general answer?—I have not made any detailed comparison, and I cannot tell you more than I have heard.

41615. It was suggested by a witness the other day that there might be introduced into Government schools a sort of moral text-book, teaching the virtues of truth, pointing out the results of falsehood and the difference between honesty and dishonesty, and so forth, as perhaps tending to check the disregard for authority, which seems to be a mark of the rising generation; is anything of that sort possible?—I do not believe in direct teaching in that form. Morality is best taught indirectly by example and occasional precept, and not by teaching from text-books.

41616. Would it be no advantage to have a text-book of that sort in schools?—I cannot say that it would be of no advantage, but, personally, I do not believe strongly in such text books.

41617. It has been recommended by Indian gentlemen of some experience and knowledge?—I know it has been recommended.

41618. Has it been tried here?—It has been tried here; in fact, moral text-books are used now in secondary schools, but not in primary schools.

41619. Who prepared them?—Dr. Sime prepared a moral text-book, and Dr. Murdoch, of Madras, prepared another one which is now in use.

41620. (*Mr. Meyer.*) Have you been long Director of Public Instruction?—I am only officiating now.

41621. Have you had much to do with the Director-General of Education?—Yes; I have met him several times.

41622. Have you derived much benefit from his advice?—Yes; a great deal.

41623. Do you think that the appointment is a desirable one?—I think so, as an advisor.

41624. Does he do more than advise; have you found him interfering with you at all?—No; not in any way.

41625. With regard to district inspectors you say that the Boards do not pay for them, but do they not pay for their establishments?—Yes; they pay for their establishments.

41626. You told us that a district inspector, although a provincial servant, is to a certain extent under the orders of the District Board President, that is, the Deputy Commissioner?—Yes; perhaps it would be simpler if I referred to the article in the Education Code which defines the position exactly. Article 771 runs "district inspectors of schools are the agents of Deputy Commissioners in their districts, and should at all times be in direct communication with these authorities."

41627. Does he not sit on the District Board?—Yes.

41628. And therefore he helps to approve the orders under which he himself works?—Yes.

41629. Is that a satisfactory state of things?—I think it is sound.

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41630. Can he vote?—Yes; I presume so, if he is a member.

41631. Mr. Maclagan told us that it was proposed to lay down a rule that the district inspector should become a Local Fund servant; has that order yet come out?—No; I believe the question is under consideration.

41632. Are you not *ex-officio* Under-Secretary to Government in the Education Department?—Yes.

41633. Therefore supposing you have any difference of opinion with a District Board, or a Commissioner, as to the amount which they should contribute to education, do you have to refer to yourself as Under-Secretary?—My experience in the appointment is rather short, and I have never met with such a case.

41634. But would that not be possible?—I should doubt it.

41635. If you thought that a certain District Board was not spending enough money on education, when you saw their budget, would you represent the matter to the Board, and if they refused to reconsider things, would you go to the Commissioner?—If I thought it worth while, I might bring the matter to the notice of the Commissioner.

41636. If the Commissioner took the side of the District Board, what would happen?—The Commissioner would probably give an explanation, and say he thought the expenditure ought, or ought not, to be increased, and there the matter would end.

41637. If he gave it in your favour naturally it would end, but supposing he gave it against you, would you then go on to Government?—No; the matter would drop. I do not know what the custom is; I have never heard of such a case.

41638. Are you prepared to enunciate a general principle as to the relative functions of Government and local bodies with regard to education? We have been told by some people that they thought the dividing line might be between primary and secondary; would that meet with your views?—No; I do not think you can divide education for administrative purposes into primary and secondary, because the two must run together.

41639. Do you think it is merely a matter of expediency, and that you must deal with each particular case?—Yes.

41640. You have told us that the Boards have full control over primary schools, but that they can only exercise that control practically through the district inspectors. As long as the district inspectors are not their servants, can they be said to have full control?—The position is as defined in Article 771, which I have already quoted.

41641. So that as far as the letter of the rule goes, they are absolutely independent of the District Board, but they have some relations with the Deputy Commissioner?—Yes; but that is not the practice.

41642. What is the practice?—No mention is made in the rule of the District Board, but practically, the Deputy Commissioner being the President of the Board, the district inspector carries out the orders of the Board. These schools are all Board schools, and are paid for by the Board.

41643. That being so, might it not be clearer if you altered the rule by substituting the District Board President for the Deputy Commissioner?—It might make it clearer.

41644. Is not the real control of primary schools practically invested in the district inspector?—Yes, practically.

41645. What, roughly speaking, is the amount of the grants for education which the provincial Government makes to District Boards. We have heard of the grant which District and Municipal Boards make to the provincial Government for the upkeep of high schools and the salary of district inspectors and clerks, but what is the grant which the provincial Government makes to District Boards?—I am afraid I am unable to give you any figures.

41646. How would such grants compare with the expenditure which the District Boards incur on each occasion?—That is a question on which I am unable to give any exact figures. A grant is made to each

district from provincial funds for primary education, and it varies in the case of different districts; I cannot name the sum off-hand.

41647. In Bombay we are told roughly that the Government contribute about eight annas for each rupee which the Board give themselves?—Yes, the amount here would be very small comparatively.

41648. As regards the simplification of the Educational Code, would you be prepared to give some latitude to local bodies as to primary schools in respect of the curriculum or the hours of attendance, and so on?—That is a very doubtful point, and I believe it has never been tried in any province.

41649. In one province we were told that they had latitude to the extent that there were two alternative curricula for primary schools, rural and urban; the rural curriculum laid more stress upon agriculture and so on, and they could apply it if they liked during the harvest time; but they might apply the town curriculum at other times?—We have several types of school curricula which can be adopted.

41650. Has a District Board any discretion with regard to that, or has it to come to you?—A District Board is rather tied in those respects, and is bound not to change certain types of schools without referring to the department.

41651. Each of the types having been approved by you as a general type, might they not have discretion to adopt one instead of the other?—Yes; I think they might.

41652. As regards hours of attendance, do you lay down any rules?—We have general rules as to the hours of attendance and curriculum, and they are observed as far as possible, but I do not think it would make any difference if latitude were allowed, for instance, as regards ordinary school hours. The ordinary school hours would be always nominally adopted, but in primary schools the school-master does not always follow our precise arrangements; the school may open at 8 o'clock according to his time, whereas we might prescribe that it should open at 10 o'clock.

41653. Does it really matter, supposing the school curriculum lays down that there shall be five hours a day, whether a boy attends five hours in the morning or five hours in the afternoon?—No, but the difficulty is to prevent school hours from extending from early morning till dark. It is the practice with some of the small children in this country to come to school early in the morning, stay all day, and sometimes even all night.

41654. Might any control be given to panchayats over schools in villages?—We have School Committees.

41655. What do they do?—They are supposed to interest themselves in the attendance of children, but otherwise they have no power, and the experiment so far has not been productive.

41656. You would not go further and give them any power of management?—Until you have an educated public in villages, the villagers would not be capable of doing it. School Committees are well enough where you have an educated public, but what villagers want is not self-government as regards schools, but good schools.

41657. You say that District Boards are free practically in regard to primary schools, but can they abolish a school without your sanction?—They can abolish a school in one place so long as they open another in another. That is to say, they are not empowered to reduce the number of primary schools without reference.

41658. As long as they keep the total number up they may abolish school A if they establish school B?—Yes.

41659. Are the grants-in-aid to schools in districts made through the Boards, or does the Government make grants-in-aid direct to mission schools or special institutions, for example?—Some schools receive aid from the provincial funds either in addition to, or instead of, the aid given from district or municipal funds.

41660. Are the schools of a special character?—No; I think the history of them in many cases accounts for the nature of the grant.

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41661. There is no strict dividing line?—No.

41662. Are the grants large, taken altogether?—The grants are calculated on definite principles, and are fairly liberal.

41663. But in the bulk, is much money spent in that way?—Yes, I think they are as liberal as can be expected.

41664. (Mr. Hichens.) You said that you do not think a dividing line is possible between primary and secondary education, and therefore you cannot allocate one sphere very well to local bodies and another to the Local Government; why do you think it is not possible to make a dividing line?—Because education must form one scheme.

41665. Do you mean that the whole thing must be dovetailed?—Yes. It is very difficult to distinguish between primary and secondary education; the Government of India hold that what we call vernacular middle class schools are really higher class primary schools.

41666. Even though one does dovetail into the other, and the dividing line may be difficult to make, you can hardly call it impossible?—It would not be impossible to draw an arbitrary line, of course.

41667. But would it be undesirable?—I think so. I do not see any object, for administrative purposes, in differentiating between education in its lower stages and education in its higher stages.

41668. Would your point be that it would be desirable that all education should be run by the same body, and that all the features of education should be under Government control entirely?—The probability is that centralization in education is more efficient than decentralization.

41669. Would you allow the local authority a voice in all aspects of education?—I do not think the present system is bad; the district authorities have the power of appointment and dismissal of teachers.

41670. In regard to primary education?—Yes.

41671. And in regard to secondary education?—They have not that right in regard to their secondary schools.

41672. Have they not the privilege of paying? Would it not be more satisfactory if you could give them a real interest instead of giving them a very vague say in most things?—Local control is an excellent thing under certain conditions, but unlimited local control of a school has not generally proved a success. To take the case of an ordinary municipality, there are sure to be factions, and they are likely to extend to the school if there is no guiding control.

41673. What serious objection is there to saying that primary education should be entirely under the control of the Local Government, and that they should provide the funds for it, the Local Boards having no responsibility, but with regard to primary education that they should be responsible?—There may be a division made as regards funds, but I cannot agree that the entire control of primary schools should be placed outside the Education Department, because the Education Department would not be worth its salt unless it could guide and control education from the top to the bottom. Another point is that in the lower stages of education more control is required than in the case of higher education. In the higher stages you have highly qualified and responsible managers and teachers who need very little, if any, guidance from experts.

41674. Assuming for the moment that there may not be control, and leaving out of account the degree, is there any objection in your opinion to making a division of that sort, and saying that secondary education should be paid for and controlled entirely by the Government, but that primary education should be controlled and paid for partially by the District Board?—There is no objection excepting the obvious one, that the Government would not be able to afford the expense of maintaining secondary schools, if the entire financial burden were taken off the shoulders of the municipality.

41675. Then your answer to the question as to what the contribution of the Government to the District Boards would be is that District Boards contribute very much more to Government than Government

contributes to District Boards?—My experience is not sufficient to enable me to answer that question.

41676. But otherwise your last answer falls to the ground. Assuming that the Government changed its policy and made contribution towards primary education, and *per contra* said, "We will not take anything from you for secondary education," would the two things balance?—I cannot give any definite answer to that, because I have not gone into the financial aspect of the question.

41677. But apart from the possible financial objection, have you any objection, as Director of Education, to that being done—to complete control of secondary schools by the Government, and partial control and supervision only with regard to primary schools?—That would virtually amount to the present system.

41678. Would you say that it was very important to enlist the interests of the people in Education, and that it would be better possibly to have a comparatively bad school in which they were interested, than a first-class school which they did not care much about?—I doubt whether that is a possible hypothesis; as a rule the people are less interested in the worse schools.

41679. But is that only if they are under their own control? At any rate, you do attach importance to the people being interested in the schools, and in order to do that you must give them a certain amount of control?—Yes; as much as you possibly can, but I would not endeavour to give them control if they did not want it, and that is where the difficulty may come in. If you say to the people of a village, "Please conduct your own schools," and they say they would rather not, but would prefer to have them conducted by the Board or the provincial Government, the whole thing falls to the ground. The people do not want local control over the schools; they have got some under our rules, and a man has a right to start his own school if he likes, but they prefer a school which is managed from a centre.

41680. But where a municipality or a District Board does want to manage its own school entirely and expresses a desire to do so, would you raise any objection?—Certainly not.

41681. Would you have any objection to District Boards having their own agents for the management and supervision of primary schools, subject to your general departmental supervision?—That is virtually the case at present.

41682. The position of the district inspector is exceedingly anomalous and hard to define, but you can consider him in one aspect as a servant of the Deputy Commissioner as President of the District Board, while in another aspect he is the servant of the Education Department?—Yes.

41683. The Code defines him only as an agent of the Deputy Commissioner; my idea was that they should have their own agency, and servants of the District Board to manage the primary village schools, subject to the control of your department, and subject also to the control of the provisions of the Code?—Where would the practical difference come in?

41684. They could send their own man to a particular school to inspect, but the District Board cannot do anything now under the Code?—I have always maintained that the District Board could control.

41685. Where is the District Board named in the Code? That system has been tried in some other provinces, and I should like to know whether you have any objection to their managing their own primary schools by their own servants entirely, subject only to a general supervision of the department?—I see no objection to that, as long as the position of the District Board inspector was not weakened thereby. We want very good men indeed as inspectors, and if you call the inspector a servant of a certain District Board, the question is whether you would get the right man, and there would be difficulty in recruiting.

41686. But if it was possible to find a man, you would not have any objection?—No; except that there might be, if the district inspectors looked solely to the District Board for advancement, a tendency to disregard any guidance or supervision from the Education Department.

41687. I postulate a sort of general supervision on the part of the Education Department; subject to that,

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would the agency of the District Board be found capable of managing their own village schools?—Only if the right stamp of men are recruited; if a higher type than at present could be placed in charge, it might work well.

41688. (Mr. Dutt.) Does the Code refer only to the Punjab?—It refers to the Punjab only.

41689. Was it compiled by the Director of Public Instruction here?—It has been gradually compiled by successive Directors.

41690. And sanctioned by the Punjab Government?—Yes.

41691. Does it lay down rules with regard to the housing and furnishing of village schools?—Yes, more or less.

41692. Would you allow District Boards a large latitude with regard to those matters?—They have already latitude in regard to those matters; there are no details prescribed.

41693. Supposing a village cannot get a house for a school, would there be any objection to the boys meeting in the house of some influential villager, until one could be got ready?—Not the slightest. The Code lays down a general rule that the Board should see that the housing of the schools is sufficient, and, as a matter of fact, a large number of the present primary schools are held inside houses lent or hired.

41694. And that is not against the provisions in the Code?—It is not.

41695. In the same way, with regard to the hours of attendance, supposing the villagers said that in harvest time they do not want to send their boys to school from 10 to 5, but only for three hours in the morning, would you allow the District Board to sanction that arrangement?—That would be possible if the type of school was what we call zamindari schools, or half-time schools, but if they wanted to do it in an ordinary village school, it would upset the curriculum more or less, and it would be difficult to arrange immediately. If the villagers wanted it permanently they could apply to the district inspector, and he

would see that that particular school became a zamindari school.

41696. Would you not allow a District Board to pass an order that every two months during the harvest season the school might only be held for three hours in the morning—would you not allow that amount of latitude?—There would be no objection.

41697. In matters of that kind, unless you allow them latitude, would they take any interest in their work?—I see no objection to matters of that sort being entirely at the discretion of the District Board.

41698. But you say the Code requires, if any such alteration were made, that the school should be turned into a zamindari school; my proposal is that in certain cases the Board should be allowed to make such orders as they pleased?—I do not see why they should not. These Codes are only made for general guidance.

41699. Are your officers in the Provincial Service who are recruited in this country appointed by Government, upon the recommendation of the Director of Public Instruction?—They are appointed by the provincial Government, presumably on the recommendation of the Director of Public Instruction.

41700. Does their promotion or transfer require Government orders?—Yes.

41701. Can the Director of Public Instruction transfer them from one district to another or promote them from one grade to another?—No.

41702. Are they generally a satisfactory class of men?—I think so.

41703. What is their pay to begin with?—Rs. 200.

41704. What do they go up to?—Rs. 700.

41705. Do the district inspectors belong to that Service?—No; district inspectors are not on the provincial list.

41706. Do they belong to what you call the Subordinate Service?—Yes.

41707. Is your code liable to revision from time to time?—Yes; it is revised periodically.

(The witness withdrew.)

Mr. T. P. RUSSELL STRACEY was called and examined.

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41708. (Sir Frederick Lely). You are Assistant Secretary to the Punjab Government in the Financial Department?—Yes.

The first step towards decentralization was taken by the Government of India in 1877, when the system of allowing Local Governments to operate against allotments made by the Imperial Government was replaced by a provincial settlement, subject to reconsideration quinquennially. Certain heads of income and expenditure were assigned in their entirety to provincial, others were shared, and a few retained as imperial. At the same time the powers of the Local Government were defined. Coming to the present time we have the quasi-permanent settlement, and the powers of the Local Government as defined in Chapter XVII of the Civil Account Code.

As long as provincial finances are shared, the Imperial Government must necessarily, as the senior partner, have an interest in provincial affairs. This position rather stands in the way of anything like real delegation and decentralization. The question is: "Cannot there be a dissolution of partnership without doing away with a Local Government's liability to contribute towards the imperial exchequer?" Cannot this be done by treating all the items of income and expenditure adjustable on the books of the Accountant-General and Examiner of Public Works Accounts (except for Military Services and other purely Imperial Departments, e.g., the Post Office and Telegraph Department, &c.) as provincial and fixing (with due regard to the accepted standard of expenditure of the province) a certain percentage of the gross income as a contribution to "imperial," subject to a reasonable minimum? The subsidy suggested would represent the liability of the province towards imperial defence, &c., and each Local Government might be allowed to build up its own famine insurance fund. The existing quasi-permanent settlement is subject to revision whenever the Imperial Government is confronted with the alternative of

either imposing general taxation or seeking assistance from the province, or when the variations from the initial relative standards of revenue and expenditure have, over a substantial term of years, been so great as to result in unfairness, either to the province itself or to the Government of India. These reservations might be retained.

As matters stand a Local Government cannot re-appropriate budget grants from a shared head to an entirely provincial head and *vice versa*. This difficulty would be removed.

The Government of India lay great stress on the desirability of securing a consonance between recorded actuals and a sanctioned budget. Departmental and other officers render their budgets to the Accountant-General by the 15th of November at the latest. This date should be extended to the 15th of January. The revised estimate of a year then current, which is based on the actuals for the first eight months of that year plus the actuals of the last four months of the previous year (rejecting, of course, abnormal figures), is adopted as a general basis of the estimate for an ensuing year. The first edition of the budget notes and estimate as accepted by the Local Government is despatched by the Accountant-General to the Government of India on the 20th of January. Corrections in the light of later actuals are reported to the Government of India in February, and important modifications telegraphed up to about the first week in March. The Government of India, being thus in possession of the latest statistics, are in a position to effect radical changes in the estimates accepted by a Local Government on less perfect data. If my suggestion for a complete emancipation of provincial finances is accepted, a Local Government should be allowed to consider and finally adopt its budgets by the 20th of February; and so long as the estimates assure the contribution to "imperial," the prescribed minimum balance, the famine insurance, and a safe margin or accrued surplus, they should be accepted by the Government



of India. The Accountant-General would, of course, intimate modifications in the revised estimate to the Government of India and the Local Government up to the first week in March. Article 154, *note 2*, and that part of article 1361, Civil Account Code, which require a special report to the Government of India before a Local Government can utilize, to any considerable extent, its accumulated surplus, should be amended.

Under existing arrangements the growing income of a province is shared. During the quinquennium 1900-01 to 1904-05 the provincial share of an average gross income of about Rs. 5,48,00,000 was Rs. 2,24,00,000 or about 41 per cent., and during the past four years,\* under the *quasi*-permanent settlement, the gross income averaged about five crores, of which the provincial share was Rs. 2,96,00,000, or 59 per cent. These quota include special assignments for specific services, and also the compensatory assignments for loss of income or expenditure entailed by changes in policy effected since the settlement was sanctioned. It is doubtful if a Local Government could, in the circumstances, hypothecate its share of income or any part of it as security for a loan if it had borrowing powers. Besides, if several Local Governments endeavoured to raise a loan about the same time, it might lead to unfavourable tenders. All things considered, it would be better to leave the question of raising loans to the Imperial Government. I would, however, suggest enlarging the scope of the provincial advance and loan account by permitting Local Government to provide there for loans for any remunerative works or undertakings of public utility. What would facilitate the development of a province without a resource to loans is the expenditure of capital by syndicates on remunerative works approved of by the Local Government, *e.g.*, branch railways, &c., which they may be encouraged to do by permitting Local Governments to guarantee the interest on capital expenditure.

As a Local Government would, from local conditions, be in the best position to decide, on the merits of each case, in a matter of the pay and allowances of any of its officers, the power to grant local, personal and deputation allowances, without regard to the emoluments of the officer after the addition of any of these allowances, might be delegated to the Local Governments. For the same reason I would suggest delegation to a Local Government of power to sanction conveyance or fixed travelling allowances. The general restrictions in article 283-4 (2), (5), (6), (7), (8) and article 283, rules 11, 13, 14 and 15, which might be retained, are a sufficient control.

The following imperial charges are adjusted on the books of the local Accountant-General:—14—interest on other obligations; 18—general administration—office of Accountant-General and the Paper Currency Department; 23—ecclesiastical; 25—political; 27—territorial and political pensions. The larger powers of sanction pleaded for expenditure classed as entirely provincial or shared might reasonably be extended to the clerical and menial establishments and contingencies of the Ecclesiastical and Political Departments.

Any system which requires a reference to higher authority encourages, and unconsciously leads to, rigidity and uniformity. The question that naturally suggests itself in a Government of India Secretariat when a matter is being considered is:—"Have we precedents?" or "What do other Governments do?" The remedy lies in keeping down references to higher authority as much as possible and allowing Local Governments to develop their administration on their own lines. Suggestions of reform from other provinces brought to their notice by the Government of India or by their expert advisers (Directors and Inspectors-General) would be welcome and receive every consideration.

In matters of finance the rigidity of the Government of India is liable to operate adversely on a province, *e.g.*, in pursuance of some fiscal or administrative policy growing heads of income are abolished or some fresh charges are thrown on a Local Government. The loss occasioned by this modification of the original settlement is restored by *compensatory* assignments, through the land revenue head, which the rigid and uniform policy of the Government of India treats as

*fixed* and is, generally, based on the estimate of the year then current. A provincial settlement consists of income assigned for provincial uses and expenditure to be met therefrom, the difference between the two sets of the assigned transactions being adjusted by a contribution to or from provincial revenues, technically known as a "fixed adjusting entry." Increases in the expenditure assigned are expected to be met from the growing heads of income. Any marked disparity between the income which would have been realized, but for its abolition, and the fixed grant or the ultimate growth in the fresh charges thrown on the province, naturally constitutes an unlooked for demand on the growing heads of income assigned in the settlement, and to the extent to which these causes extinguish the annual surpluses is the power of the Local Government to incur new expenditure in the improvement of administration curtailed. The Government of India have declined to calculate the compensation on a sliding scale as it is against their traditional policy.

Certainly the Government of India must be given credit for the initiative in administrative reforms in recent years, but the ultimate effect, financially, of some of the reforms will not be to the advantage of the province; or, to put it plainly, provincial revenues are likely to be called upon to appropriate for some of the reforms of Imperial policy so much of their net profits each year to meet the difference between the eventual cost of the new measures and the *fixed* compensatory assignments.

The rules bearing on the right of appeal should not be brought within the scope of decentralization, as it would be impolitic for the public, both official and non-official, to apprehend that personal rights are to be curtailed simply with a view to decrease the work of Government officials to whom the personal interests of the people are entrusted. The rules as they stand sufficiently empower officers to deal finally with appeals which bring forward nothing new.

Deputy Commissioners, Commissioners and Heads of Departments should be encouraged to take a greater personal interest in budget matters. In the past this was not possible, probably as their control over the budgets was restricted. They should be allowed more time to prepare their estimates, and the forms in which they are submitted might be simplified, so as to clearly bring out each officer's demands other than for fixed charges already sanctioned. The Audit Officer has a record of these, and the estimate is simply a question of arithmetic. They should provide in their estimates for a coming year for fresh expenditure which they are competent, by delegation, to sanction and for contingencies (other than contract), travelling allowances, supplies and services, petty construction and repairs, &c., &c. I would further suggest that each sanctioning officer be permitted to provide a reasonable "reserve" in his estimate; and as long as an officer is competent to *incur* the expenditure, the fact that provision for it exists under different grant heads should not stand in the way of his re-appropriating savings in a sanctioned budget during the course of a year.

I would not assume that individual officers subordinate to Government are not ready to exercise increased powers. If any loss or harm resulted by neglect, in the application of higher powers, the officer concerned might be held personally responsible; and if instances of failure were multiplied, an officer would declare his own unfitness and be dealt with departmentally. Decisions in such cases, however, should not be influenced by any sense of sentimentality. This should sufficiently ensure the success of the scheme, and at the same time protect Government from loss, either pecuniary or of prestige.

As general suggestions bearing upon the subject of decentralization, I offer the following:—

Correspondence should be explicit and concise, and the memo. form should be used generally. Every communication should be self-contained, formal expressions such as "*I have the honour*" at the beginning and end of letters omitted, and enclosures should not be sent unless absolutely necessary. Men of good business stamp and with a liberal education who are capable of relieving overworked officers of drafting or correcting drafts should be appointed to the senior clerical posts in subordinate offices. If necessary, the pay of these posts might be made more attractive. Letters on

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\* 1905-06 to 1908-09, the revised and proposed estimates having been taken for 1907-08 and 1908-09.

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unimportant subjects or of an ephemeral character might be written by the superintendent or head clerk on carbon pad.

Government unnecessarily multiplies cash transactions. The debit note system in the case of telegrams might be extended to all offices. The rules secure sufficient control on unnecessary expenditure, and there is no reason to believe that the change advocated would encourage a reckless resort to telegrams.

Official postage labels are obtained from the treasury in return for cash. An officer requiring his month's supply should send a receipt to the treasury in duplicate showing the number and denomination of the labels required and the major, minor and detailed heads to which the charge is debitable. One copy would be signed by the Treasury Officer and returned, with the stamps, to be attached to the postage register of the office concerned, and the other retained by him for submission to the Accountant-General at the end of the month with a consolidated statement classifying the supplies under the several major and minor heads. The latter would credit the Postal Department by one monthly or annual transfer entry for the entire province and debit the service head or department concerned. These suggestions would release an enormous amount of cash for public use, and do away with thousands of sub-vouchers. The increase in the transactions in the exchange accounts between the Audit Officers and the Postal and Telegraph Accounts Departments, although not offering any serious obstacle, is provided for in my suggestion below.

The payment of pensions might be usefully relegated to the Postal Department. By far the greater number of pensions are for insignificant sums payable to natives who retire to out-of-the-way villages. This proposal would particularly appeal to them. Under existing rules a pension can be paid only at a *sadr* or sub-treasury, while the Postal Department would pay the pensioner from the sub-post office nearest his residence.

Official accounting has developed into a fine art, and we resort to methods which would never be tolerated by business firms who naturally aim at securing maximum results with a minimum of labour and cost. The number of exchange accounts and the number of transactions that pass through them are appalling. It seems to me that if we had one central audit office for each province, work would be done expeditiously and economically. The following offices might work in one central station, say, the provincial capital, under one Chief:—(1) Accountant-General's office; (2) Examiner, P. W. Accounts; (3) Deputy Controller of Post Offices; (4) Examiner of Telegraph Accounts; (5) Controller of Military Accounts; (6) Examiner of Railway Accounts. The question of the Financial Department taking over (4) is already under consideration, and it is likely that the system of divisional audit will be introduced from the 1st of April 1908, when (5) will really be a small establishment entrusted with general supervision, and the consolidation of the various divisional accounts in the command. (6) of course would be part of the scheme only when it represents a Government line. As matters go, the combination is feasible at Lahore. Each of the departments would be in charge of its own departmental officer. The arrangement results in the abolition of exchange accounts between these departments. The transactions brought to account in one of the sections but adjustable by another will merely pass through one adjusting head, and be relieved by credit to a corresponding adjusting head in the accounts of the latter, on the principle of "cash recoveries."

When I was in the Military Accounts Department we were flooded with schedules and sheafs of credit notes and warrants used by Military Officers which the railway sent on and with thousands of cashed military cheques from the Accountant-General's office, in support of the debits in the exchange accounts. The grant of letters-of-credit would be facilitated, and also the adjustment of pension payments and postal and telegraph charges. The central Accounts Officer would send one consolidated account to the Comptroller-General for each province. This suggestion is on the principle of a clearing house in large business centres at Home, where the accounts of one firm are daily set off against another and only the net result passed over the counter. The saving in correspondence, postage, telegrams and establishment will be a financial advantage, to say nothing of the enormous gain to public

business in getting the work done expeditiously. Moreover, a study by one permanent local Chief of the comparative advantages of the systems of audit and accounting in these several departments would result in proposals for the adoption of the simplest practical methods being put forward more promptly than suggestions to the same end made by the Deputy Auditor-General during his periodical inspections.

Audit should be conducted strictly in accordance with rules to the exclusion of all discretion. It has not hitherto been considered politic to permit an Audit Officer to relax rules, or suggest expedients for the evasion of the natural operation of rules. If this stringency was considered essential when the powers of expenditure were restricted, it is the more necessary now that a freer hand is to be allowed to Controlling and Disbursing Officers. Nor do frequent references by a Local Government to an Audit Officer by a resort to the suggestion in article 290, Civil Account Code, make for business. A local Secretariat should be self-contained.

If all the suggestions made by the several Governments to decentralize and devolute were introduced in their entirety, there would still remain the tendency to centralize, particularly in financial matters; if not by reversion, by new items originating in the course of business. The only way to stifle this, while retaining the integrity of audit, is for each Local Government to have a financial and account expert who might be borne on the rolls of the Financial Department, but work direct under a Local Government. The Secretary of State has recognized this principle in the Railway Board to which a financial adviser, drawn from, and borne on the rolls of, the accounts department, is attached. A Local Government should also, periodically, depute an officer with thorough business experience to overhaul the systems of work in the offices subordinate to it, and suggest economics, delegations, simplification, &c.

41709. You make a proposal which implies the financial independence of the provincial Government which means, I suppose, that there is practically to be no submission of the budget for criticism, or the sanction of the Government of India?—No; the budget would continue to go up.

41710. But I understand you propose to send it up later in the year?—Yes, so that we should have better data and more time to look into our figures, and anticipate the modifications which the Government of India now have to make.

41711. Which would involve less time for the Government of India, and more time for the provincial Government, for consideration?—Yes; but the advantage to the Government of India is that the estimates are rendered to it better prepared.

41712. Supposing, under your system, by reason of war or any other emergency, the imperial expenses suddenly increased, how would they be met?—At present the items of provincial revenue and expenditure are assured, and the Government of India have the right to raise the terms when confronted by any emergency. My system recognizes this right.

41713. But if there was a sudden call for money, as in the case of war, is it not met to some extent out of the balances of the Government of India?—Yes.

41714. How do you propose that it should be met under your system?—In the same way as now; the only change is that each province would surrender a percentage of its gross income to the imperial revenues, retaining the rest for provincial uses.

41715. Allowances would be made for special and unforeseen expenditure?—Quite so. We would have the whole of the income and expenditure now dealt with in the provincial settlement as provincial, and having once accepted the standard of expenditure, we would fix the percentage of income to be handed over to the Imperial Government. At present the condition is that, should any contingency arise, the Government of India is at liberty to modify the terms of the provincial settlement, and that reservation might remain; the only difficulty, however, is that a provincial Government might increase its working expenses to such a very large figure as to make sudden curtailment rather difficult. But that could be got over by fixing the standard of expenditure for, say, five years in advance.

41716. Taking the case of famine, would you leave the provincial Government to run the risk of that?—

Yes ; they would have to build up their own Famine Insurance Fund.

41717. Supposing a famine attacked a province, and there were not sufficient funds to meet the demands made, what would happen?—Then it would involve a reduction of the percentage to be paid to the Government of India so long as those conditions obtained.

41718. So that practically the Government of India would have to meet it?—From its percentage, which is what they virtually do now under the Famine Insurance Fund.

41719. Is not the Government of India, which has to deal with very much larger figures than any provincial Government, very much better able to meet a large charge than any provincial Government?—Yes ; if the expenditure is very heavy and encroaches on the prescribed minimum balance of a province.

41720. So that the Government of India would have to be finally responsible for meeting the expenditure with regard to famine, as they are now?—Yes.

41721. And it would be in a less strong position to do it under your proposal?—I am not quite sure about that. If we build up a reserve, and use our annual surplus on protective measures, we should be in a better position to meet claims with regard to famine when they did occur.

41722. After your reserve was built up?—Yes.

41723. What would you do meanwhile?—The prescribed minimum balance of the provincial Government might be raised. Ours is 10 lakhs, and it might be raised to something more, say, 20 lakhs. We might also start off with 10 lakhs as the famine reserve.

41724. If the responsibility of meeting these special crises were divided among all the different provinces, would not the chance of a deadlock be greatly increased?—Not if the Famine Insurance Fund were included in the balances.

41725. From a financial point of view, would there be any objection to giving the Commissioner a certain latitude, leaving him to make a divisional Public Works budget with regard to roads and buildings for his whole division?—At present there are very few Public Works which are left to him ; they are all done by the Public Works Department.

41726. But would there be any objection, on financial grounds, to doing that?—Yes ; the difficulty would be in re-appropriating. Say, for instance, one Commissioner has five lakhs and another four lakhs ; the Commissioner who has five lakhs might not have the opportunity of spending it all ; and the other, who has only four lakhs, may be in a position to spend six lakhs. There would be the risk of an avoidable lapse.

41727. I think we may safely assume that a Commissioner may have an opportunity of spending the whole of his allotment. The allotment would be made according to the presumed want of each division, and the Commissioner would be left to make his budget against that allotment?—I see no financial objection.

41728. It has been represented by several District Officers that it is very hard upon them to have to take care of the Government balances in the treasury involving counting the money, a work which often takes them several hours every month, and some of them have said that it is particularly hard, especially when there is a branch of the Bank of the Punjab, or any other bank other than the Bank of Bengal, at hand whose business it is to take care of money. As a practical question, would it be possible to employ banks to take charge of the treasury other than the Bank of Bengal?—It would be inconvenient to the public, because banks close at 3 o'clock every day, except Saturdays, when they close at one o'clock, and they cannot receive Government dues except under the written order of the Collector.

41729. Would it not be equally inconvenient when the Bank of Bengal keeps the money? When there is a branch of the Bank of Bengal at any station do they not keep their money?—They do.

41730. And when there is no branch of the Bank of Bengal do you see any reason why some arrangement should not be made with the Bank of Punjab or any other bank which happens to be established in the place?—It is a question of guarantee.

41731. I am asking you whether there would be any objection to making some such arrangement?—None,

except the objection which already exists as regards the Bank of Bengal ; that is to say, if a person happens to go a minute late he cannot either put in or draw money out.

41732. Has the Government a contract with the Bank of Bengal?—Yes. It is inconvenient in Simla and in Lahore too sometimes. The treasury is situated some distance from the bank, and no one can pay into the bank without the written orders of the Collector, so that if the payee gets to the bank five minutes after time on a Saturday he cannot lodge the money with the bank, with the result that he has to keep it in his custody until banking hours on Monday, an inconvenience which is accentuated if other holidays follow.

41733. (Mr. Hichens.) Supposing a man go to pay into a Government account, would he not pay it into the treasury or at the Collector's office—he would not pay it to the bank?—No ; he has to go to the Collector and the Collector gives him a voucher which classifies the item of income, and gives the bank an authority to receive the money on behalf of Government. It is only on that authority that the Bank of Bengal can receive it.

41734. How would it do to have a cashier attached to the Collector's office to take the money and pay it in once a day, or once every other day, as the case might be?—That can be done, provided of course that you had the usual safeguards, which is a material detail.

41735. On six days of the week probably the money could be paid in during the course of the day, and it would be only now and then that there would be any sum in store, so that that might meet your objection?—Yes.

41736. Would that be feasible?—Yes.

41737. What advantages would be gained by your proposed system of tribute? How would a provincial Government be materially better off?—Are you referring only to the question of revenue or to revenue and expenditure? At present both are shared.

41738. I was referring to your general proposal that the Government should have its own revenue and its own expenditure and make a certain tribute to the Government of India. What tangible gain is there going to be to the provincial Government?—Say that in the course of a year or two years that a provincial settlement has been in force, some item of growing income is abolished as a part of the fiscal policy of the Government of India, we lose the growing share of income and in its place we get a fixed compensatory assignment.

41739. Would it not be fair to put the other possible alternative? Supposing it were very desirable that a reduction of taxation should be made, the provincial Government would have to knock off the tax and not get any compensation at all, so that you must balance the one thing with the other ; how would you come out on the balance in that particular case?—We should decrease the percentage payable to the Government of India by the amount represented by that transaction which falls out of the provincial settlement, and as we calculate our percentage upon the growing gross income, it would necessarily increase *pari passu*. Now as regards an item of fresh expenditure. The Patwari Fund was originally an Incorporated Local Fund which was abolished. The expenditure was taken at, say, 13 lakhs of rupees a year, and it is calculated in the ordinary course of events that it will grow to 16 or 18 lakhs. This expenditure was originally met from the Patwari Cess ; but the Patwari Cess was abolished, the patwari charges were provincialized, and we get a fixed compensatory assignment now for these growing charges. The income would have grown but for its abolition, and the difference between the eventual growth of the charges and the fixed assignment has to come out of other growing heads of income assigned in the provincial settlement, so that in a series of years it will grow to 20 lakhs, which means that the power of the Local Government to improve its administration has been curtailed to the extent of 20 lakhs of rupees.

41740. Then would you think it an advantage that divided heads of revenue and expenditure should be dropped?—I think so, because there are technical objections ; for instance, we can re-appropriate from an entirely provincial head to another provincial head, but we cannot re-appropriate from an entirely provincial head to a shared head and *vice versa* ; we have the funds, but cannot use them.

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41741. Can the English Government re-appropriate from one major head to another?—They work on allotments at home.

41742. Supposing there is an allotment made for the Army, can the Government re-appropriate anything without the consent of the House of Commons?—That I cannot say; but, as a matter of fact, we do re-appropriate from one major head to another of the same class.

41743. What is the point of having estimates which are approved either by the Government of India or by the Legislature, as the case may be, if you are allowed to have a general shuffle five months afterwards?—Of course that principle is objectionable, but suppose there happened, through fortuitous circumstances, to be savings under one head, which can be usefully appropriated to meet expenditure on another, why should you postpone the expenditure to another year?

41744. Roughly, what is the amount of revenue and expenditure involved in the divided heads in respect of forests?—Rupees 7,00,000 and 5,92,000, respectively, is our share in the revised estimates for 1907-08 for forests.

41745. What is it altogether under the divided heads?—The principal heads of income are divided, and the expenditure is also divided in the same proportion, except under land revenue, the expenditure under which is entirely provincial.—The total provincial charges are Rs. 3,23,05,000 in the revised estimate.

41746. Altogether is the divided expenditure a big thing?—No; the divided expenditure is not a very big thing, because the provincial items are much larger.

41747. (Mr. Meyer.) You say that the first approach towards decentralization was made in 1877, but, as a matter of fact, was it not in 1871 by Lord Mayo's first settlements?—Yes, you are correct.

41748. You speak about the possibility of Local Governments building up reserves from which to finance famines, so that you contemplate, I take it, getting more money under your new system, somehow, than previously?—My idea was that when a provincial settlement is made with the Local Government it should start with a prescribed minimum balance and any other moneys the Government of India may give it.

41749. You propose a system under which you would substitute for the present system of divided heads a percentage contribution to the Government of India. Do you contemplate, as the nett result of that contribution, that you will be better off than you are at present?—We shall be better off so far as the abolition of taxes, restored by compensatory assignment, is concerned, and so far as the provincialization of fresh charges are concerned.

41750. And I suppose every province will be better off?—Every province will be better off if this system is generalized.

41751. And therefore the Government of India will be worse off?—To that extent, yes; but the Government of India have already admitted the principle advocated, in the case of the United Provinces and Madras, where they say the granting of a fixed compensatory assignment has operated badly against the provinces, and they have raised the percentages of shared heads.

41752. Can you build up large reserves under the present system?—We cannot because to the extent to which we might have built up reserves we would have to appropriate the savings under the growing heads of income to meet the effect of alterations on the provincial settlement, caused by the abolition of taxation, such as the Famine Cess, or by fresh expenditure imposed.

41753. You admit you got compensation for that, for the present?—Yes.

41754. But you do not get compensation for the future. Must not that compensation be paid by some one?—Yes.

41755. Do you suppose that the Government of India have some special treasury of their own out of which they can take it. Are not the funds derived from the people?—And from the entirely Imperial

Departments, e.g., Railways, Post Office, Telegraphs, profits from printing, and interest on securities held against currency notes.

41756. But do you think the Government of India can support themselves on the entirely imperial resources?—No.

41757. Then is it not really a question of the people paying finally?—Yes.

41758. Have you any acquaintance with "ways and means" in regard to imperial transactions, and do you know how the Government of India finance local loans?—I have had something to do with the matter in the Accountant-General's office.

41759. Do they not have to deal with provincial balances and other matters?—Yes, and the raising of loans.

41760. Therefore, the Government of India have to scrutinize the provincial budgets, even apart from the extent to which they affect their own surplus, in order to see what the ways and means position may be?—Yes.

41761. Why do you propose a contribution on the gross income of each province?—Because it would not be fair to the Government of India to calculate the percentage on the net income of a province, as a Local Government might inflate its expenditure during a year, and the Imperial Government would lose to the extent of the inflation.

41762. Would it not be rather unfair for a province, which requires a large amount of expenditure—say, for instance, Burma—if you took the percentage on the gross revenue?—It would be better to calculate it on the gross and decrease the percentage payable to the Government of India, rather than deduct the expenditure from the income and calculate it on the nett.

41763. You would have a different percentage for each province?—Yes.

41764. Leading, in fact, to all the old friction and controversy which used to take place?—But that is what is done now. The methods on which the heads are shared now are quite different—for instance, in the United Provinces the share of land revenue is half-and-half whereas ours is  $\frac{3}{8}$ ths and  $\frac{5}{8}$ ths.

41765. Is not the share of the United Provinces  $\frac{3}{8}$ ths?—I think it is half-and-half.

41766. At any rate that is one exception; in everything else do not all the provinces share equally?—I do not know.

41767. What practical use would your proposal be? If the Government of India get a percentage they will have to check your figures to find out what the total income is?—The Accountant-General would do that.

41768. Are not the Accountant-General's figures themselves scrutinized by the Government of India?—Yes, by the Comptroller-General.

41769. Do you think they are to be taken as absolutely correct?—I think so.

41770. Would you be surprised to know that in Bombay some time ago the Accountant-General sent up some absolutely incorrect figures in regard to a big Corporation loan? Is it not the fact that you have the same powers of sanction in regard to divided heads as in regard to those entirely provincial?—Yes, with regard to powers of sanction it is the same.

41771. As regards re-appropriation, if you want Rs. 50,000 more in the Forest Department, would that not be half imperial and half provincial?—Yes.

41772. And is there anything to prevent you taking the provincial Rs. 25,000 out of education if you can spare it?—But the rules in the Civil Account Code say that we are not allowed to re-appropriate from a shared head to a provincial head and *vice versa*.

41773. The Financial Secretary of the Government of India told us quite a different thing: he said that you could take from any provincial head?—Providing the amount taken was equal to the shared quota?

41774. Yes.—That is not the view held by the Accountant-General, and we have been repeatedly told so in writing.

41775. Apparently one reason why you propose this system is in order to get longer time to consider the provincial budgets. Is not the Government of India budget, which has to deal with all the provinces, a more important thing than a provincial budget?—Quite so, but I was under the impression that if Local Governments were allowed more time to prepare their budgets they might be sent up in a better state than they are now. At present Departmental Officers' budgets are sent on the 15th November, which is about five months before the year begins, and we send our first edition on the 20th January. If we had an opportunity of sending them in later, we would be able to get in further actuals, and perhaps to anticipate many of the modifications now made by the Government of India.

41776. And the Government of India are to put off their communications with the Secretary of State until your figures are ready?—Of course I only make the suggestion from a provincial point of view.

41777. You want power given to Local Governments to grant local, personal, and deputation allowances to an officer, but does the Secretary of State himself allow that?—At present the sanction of the Secretary of State is necessary when the addition of these allowances raises the amount above the prescribed limit.

41778. Do you mean that the Local Government should be able to give a Commissioner an additional personal allowance of Rs. 300 a month to compensate him, say, for not being made a Financial Commissioner?—No: because that would be over-riding the principle of article 283, Civil Account Code, as creating an embarrassing precedent. Suppose, for instance, an officer is sent to an unhealthy tract. A Local Government should be competent to grant him a local allowance on account of the unhealthiness of the tract. A provincial Government is better aware of what the local conditions are.

41779. Do you not think that local allowances are sometimes sought after?—I dare say they are, but the Local Government might be allowed to sanction, provided they adhered to the general principles.

41780. What sort of expenditure in the Political Department is it which you want to be made provincial?—"The larger powers of sanction pleaded for expenditure classed as entirely provincial or shared might reasonably be extended to the clerical and menial establishments, and contingencies of the Ecclesiastical and Political Departments"—that is with regard to sanction.

41781. "Political Departments" is a wide term; do you mean the Imperial Political Department?—No; I mean the Political Department administered by a Local Government. Supposing for instance that the Political Agent in the Phulkian States has a clerk on a salary of Rs. 50, but finds that he cannot get a good man for that amount, the Local Government cannot sanction an increase in salary of 8 annas, but has to go up to the Government of India.

41782. (*Sir Steyning Ederley.*) Where would you propose to keep the provincial balances under your scheme?—The provincial balances of course merge in the imperial balances and are all paid into the treasury, and lose their identity so far as imperial and provincial is concerned, but the Accountant-General keeps the particular accounts and works out the provincial surpluses.

41783. Then the provincial balance would, under your scheme, facilitate ways and means just as at present?—Yes.

41784. You would prefer that the provinces should pay a share of gross revenue?—Yes.

41785. Would you include in gross revenue everything that comes to account within the province?—Yes; except imperial items; for instance, salt, opium, &c., which are entirely imperial.

41786. Would you exclude those?—Yes, because they are entirely imperial and outside the scope of the settlement.

41787. If they were included, you would necessarily have different percentages for different provinces?—Quite so.

41788. Is your idea of the budget going up about the 20th February based on the suggestion that the

Government of India should practically accept the estimates without modification?—The modifications now made by the Government of India are due to faulty estimating, which again are due to the estimates being submitted at a very early stage. We will, by my suggestion, anticipate very many of the modifications now made by the Government of India.

41789. Then would they still have to examine the estimates?—Yes.

41790. Do you still think they would have time after February 20th?—I think so; they have accepted our estimates for 1908-09 without demur or modification.

41791. If your system of payment of pensions through the Postal Department were adopted, how would you provide for the identification of the pensioner?—I would have the same rules as exist now.

41792. But the pension would go by post to the village, and the Treasury Officer would not be there. Suppose a man died in the course of a year, how would you be able to discover it?—The pensions would be paid at the post office and not at a man's house.

41793. Quite so, but by the village postmaster?—Yes.

41794. Suppose he chose to put the money into his own pocket, what check would you have on him?—That could be provided for by some one being required to identify the man.

41795. But would there not be much greater risk of misappropriation of pensions than there is now?—That risk is not entailed just now in the case of money orders which are paid at these places. It would be a great convenience, if it could be made possible.

41796. (*Mr. Dutt.*) Your proposal is that all the items of income and expenditure not purely imperial should be provincial, and that the provinces should contribute a fixed sum to the Imperial Government to enable it to meet expenditure?—Yes; in matters of defence and other directions.

41797. Under that scheme would Excise, Land Revenue and other Departments be entirely provincial?—Yes; as they virtually are now, as far as administration goes.

41798. Supposing the Government of India found it necessary hereafter to introduce some large reforms in the Excise Department which would reduce the income from that source of revenue, would not the provincial Government have a right to complain?—As matters stand now, we would get a fixed compensatory assignment; under my proposal, if a modification of the excise revenue took place and there was a loss to provincial revenues, our percentage which was fixed in the first instance would be modified in such a way as to leave us a revenue sufficient for our working expenses—in other words, the Imperial Government would pay in just the same way as now, the only difference being that instead of there being a fixed compensatory assignment it would be calculated on a sliding scale.

41799. I do not quite understand in what way the provincial Government would be compensated for a loss of twenty lakhs if your income was reduced in the Excise Department, say, from 50 lakhs to 30 lakhs?—In this way: say our gross income is 6 lakhs and the accepted standard of expenditure under my proposal is 3 lakhs—the percentage of income to expenditure is 50 per cent.—according to contract, we give the Government of India 50 per cent. Say, of those 6 lakhs, 1 lakh on account of excise is knocked on the head, our gross income is reduced to 5 lakhs of rupees; ordinarily we should give 2½ lakhs to the Government of India, but the 2½ lakhs left not being sufficient to meet the standard of expenditure of 3 lakhs accepted in the provincial settlement, we reduce our contribution to the Government of India proportionately.

41800. Supposing the Government of India introduced into the Department of Land Revenue some reforms entailing additional expenditure or a decrease in revenue, would you propose the same kind of adjustment?—Yes.

41801. And if the Government of India thought it desirable hereafter to abolish some of the sources of revenue, would that also be adjusted in the same way? Yes.

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Russell  
Stracey.*  
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Straacey.  
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41802. Would not the Government of India have somewhat less control over the administration of these departments if your scheme was accepted?—Not having any share in the income from those departments the Government of India might have less control over the administration of those departments?—I do not think so.

41803. Would not the interest which the Government of India now takes in all the departments, and the control which they have over the administration of them, be weakened considerably if they had no share in the income?—I do not think so, because the change advocated is a purely financial matter, and it would not in any way interfere with administrative control. I think both the principles are compatible.

41804. You will admit that all administrations are better for some criticism and outside control, and that where there is no popular control, as in this country, some outside control, such as the control of the Government of India, is necessary and desirable in the administration of provincial affairs?—Yes, but that is administrative.

41805. Would not that control be lessened by the adoption of the scheme which you have suggested?—I do not think so, because one is purely financial and the other is purely administrative. For example, under Law and Justice, income and expenditure—both

courts of Law and Jails—are entirely provincial under the existing settlement, yet I do not think the Government of India takes less interest in the administration of those departments than they do in Land Revenue or Forests, which they share.

41806. You say: "It is doubtful if a Local Government could in the circumstances hypothecate its share of income or any part of it as security for a loan if it had borrowing powers." Are you not against granting borrowing powers to Local Government?—Yes.

41807. And you think if they had borrowing powers, they could not raise loans on the same terms as the Government of India?—Quite so, and if several Local Governments called for loans at the same time, it would lead to unfavourable tenders, and you would find one Local Government competing against another.

41808. You do not want to restrict the right of appeal any further than it is at present?—No; nor to withdraw any advantages which the people now enjoy.

41809. Do you think any restriction of them would lead to the impression that the interests of the people were being sacrificed to the convenience of Government officials?—It might lead to that impression.

41810. And you think that is undesirable?—I think it would be impolitic.

(The witness withdrew.)

Mr. C. E. V. GOUMENT was called and examined.

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41811. (Sir Frederic Lely.) You are Superintending Engineer and Sanitary Engineer to the Government of the Punjab?—Yes. All my service has been in the Punjab.

Commissioners are at present empowered to sanction estimates and allot funds for revenue buildings up to Rs. 500 in each case. Their powers should be extended to sanction projects and grant funds up to a limit of Rs. 2,500. Their annual allotments for such works should be increased accordingly.

The curtailment of the right of appeal to the Government of India and the Local Government is not recommended.

District Boards might be employed to greater advantage for the maintenance of local Public Works if the engineering establishment under their control for the execution of such works were reorganized so as to improve the pay and prospects of District Engineers and place them under the professional supervision of the superior staff of the Public Works Department. In order to conform to the spirit of the measures for self-government, the control of the local staff as regards finance and general administration might be left entirely in the hands of District Boards, but the approval of estimates for their important works of construction and maintenance and the periodical inspection of such works should be entrusted to Superintending and Executive Engineers of the Public Works Department, whose inspection reports should be forwarded to District Boards for necessary action through the usual channels. As at present organized, the local engineering establishment is under the orders of a Board, the members of which have no knowledge of engineering, and, with the exception perhaps of the President, who is usually the Deputy Commissioner, take but little interest in local Public Works. The result is that the experiment tried in this province of making over some Public Works to local bodies for maintenance has not proved a success, and it has been found necessary in many cases to retransfer such works to the provincial Public Works Department. We have had to go even beyond this and transfer many local works which should have been in charge of local bodies, to the Public Works Department for construction or maintenance. In reorganizing the local staff and in selecting the works to be maintained by local bodies and the Public Works Department respectively it would be necessary to see that the distribution of works and establishment was so made as to avoid, as far as possible, having two sets of officers and subordinates carrying out works in the same tract of country. This is a serious objection to the arrangement of having two different engineering establishments as it does not tend to economy. It would

perhaps not be possible to avoid this difficulty altogether, but, with a little care, it could be obviated to a considerable extent.

Another serious drawback to the proper control by District Boards of local Public Works is the present financial policy of Government which enforces the allotment of the greater portion of each Board's income for the fixed charges of other departments (Educational, Medical, Veterinary, &c.), and leaves an uncertain balance for expenditure on Public Works. The Famine Code prescribes that Local Fund resources are to be exhausted before provincial funds are drawn upon for famine expenditure. Plague rules require that the financial burden of all plague measures must fall, firstly, on District Funds, and provincial money is not to be spent on these till Local Funds are exhausted. After all the above compulsory demands have been met, the residuum is supposed to be available for expenditure on original Public Works and on the ordinary annual repairs of roads and buildings. This balance is often insufficient, and all expenditure on original works has to be stopped and existing works cannot be properly maintained. Roads and buildings are allowed to fall into disrepair, and a special grant has sometimes to be made from provincial funds to restore them to their former condition. If District Funds were relieved of the uncertain and heavy demands of famine and plague expenditure, and if undue encroachment by other departments on local resources was prevented by fixing the minimum to be spent annually by Boards on the construction and maintenance of their roads and buildings, a great advance would, I think, be made towards improving the position of these Boards as regards their management of local Public Works.

41812. Are the Public Works of the District Board usually executed by a separate District Engineer in their employment?—Usually. We have transferred some of our works to them for maintenance, and we maintain and construct some of their works in different districts.

41813. Does the system of transferring Government works to the District Engineer work well?—It has not worked well; we have had to re-transfer several works which we had made over to them originally, because they could not maintain them properly.

41814. In what way could they not maintain them properly?—Roads, for instance, went to pieces, and we had to take some of them back again; buildings were not well maintained, and we had to take some of these back also.

41815. What is the class of man who is usually employed by the District Board?—He is generally an



Engineer from an Indian College who has failed to get an appointment in Government Service, or one of our Upper Subordinates, or a man who has had a practical training in engineering somewhere; he gets a low pay, about Rs. 250 a month; one cannot say that he is very well qualified.

41816. Is he borne on any list?—No.

41817. Has he any pensionary rights?—No; he gets no pension.

41818. In other districts Local Board works are done by the Public Works Department Engineer?—We have some of their works to maintain, but very few; the maintenance grant for these works is about Rs. 40,000 *per annum*.

41819. Are there any districts in which there is no District Engineer?—No, some districts call them overseers.

41820. Generally speaking, the Public Works Department, as represented by the Executive Engineer, has no concern with the Local Board works?—No.

41821. The system does not result in good work?—No, simply because there is no professional supervision of the District Engineer.

41822. The District Board cannot command the services of sufficiently efficient men?—No.

41823. Have you any suggestion to make as to the best system of carrying out local Public Works?—I suggest that Local Bodies should increase the pay of their District Engineers and get a better class of men, for one thing; then the work of the District Engineer should always be under the professional supervision of the superior authorities of the Public Works Department. A Deputy Commissioner is not an engineer, and very few members of the Board know anything at all about engineering; so that when a District Engineer gets to feel after a time that there is no one to appreciate his work, or to condemn it if it is bad work, he naturally gets slack.

41824. Is there absolutely no supervision over the District Board work?—No. We are supposed occasionally to inspect Public Works which have been made over to the local bodies for maintenance, to see that they are properly maintained, but we are not supposed to inspect District Board works proper, which are under the direct control of District Boards.

41825. The works that you refer to are contributory works?—Yes.

41826. You consider that famine and plague are matters of imperial concern?—I think they should be.

41827. And that they are not a proper charge on Local Funds?—No.

41828. Is there a Sanitary Board?—Yes.

41829. Are you a member of it?—Yes.

41830. Who else are members?—The Financial Commissioner is President; and the members are, the two Chief Engineers—the Chief Engineer of the Irrigation Branch, and the Chief Engineer of the Buildings and Roads Branch—the Judicial and General Secretary to Government (I think he is now called simply Secretary to Government); the Sanitary Commissioner; the Commissioner of the division in which the Board meets; and the Sanitary Engineer.

41831. Have you any control over municipalities in respect of sanitary works?—No; we are merely an Advisory Board.

41832. Suppose a municipality projects a water-works, do you assemble as a Board in the place to give them preliminary advice?—Not in the place; the project is generally sent up by the Sanitary Engineer through the Commissioner to the Board for approval.

41833. Do you draw up the plans?—I draw up the plans of all large important projects; as to the smaller ones I advise the municipality, or I give them a man to do the work for them under my direction.

41834. In the case of a rather important water project, is the municipality compelled to utilize your services or is it free to employ its own agency?—They are compelled to utilize my services as approving officer any way; they may employ their own agency for preparing the estimate, but their project must come up to me for professional approval.

41835. Does Government impose any fees for your services?—No; they used to, but that system is abolished; my services are now given gratuitously. When I have passed the project it goes on through the Commissioner to the Sanitary Board; if the Sanitary Board approves, it passes on to the Local Government for sanction.

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41836. Is there any limit within which the sanction of the Local Government is compulsory?—Yes.

41837. I suppose it is not necessary for very small works?—No. If the municipality is a second-class one it sanctions its own projects up to Rs. 2,500, and if it is first-class, up to Rs. 5,000; if the work is to cost more than Rs. 5,000, it comes up to me for professional approval; I approve all projects up to Rs. 10,000.

41838. Do you tour about the country with a view to ascertaining its sanitary wants?—Yes.

41839. Do you visit all the municipalities in turn?—Yes, most of them.

41840. Is there any popular feeling in favour of sanitation?—No; there is no great enthusiasm.

41841. Is there reluctance in spending money?—The maintenance is not well done. We have completed several drainage works for them; I inspect these once a year, and I often find that the drains are not well scavenged or flushed.

41842. Are your recommendations listened to?—To a certain extent, but there is no great enthusiasm about it.

41843. (*Mr. Meyer.*) You propose to give the Commissioner power to sanction in respect of minor works up to Rs. 2,500 instead of Rs. 500. Has that not been done already?—Not that I am aware of.

41844. Anyhow, it is entirely a matter for the Local Government to decide upon?—It is.

41845. Are you in favour of breaking up the provincial Public Works budget? Of course the Local Government must keep a certain amount at headquarters for reserve, and for the biggest works; but might they distribute the rest and give each Commissioner a budget within which he might sanction off his own bat?—I think not; because the Commissioner can not look beyond the boundary of his division, while the Head of the Department is always alive to the interests of the whole province, and he is the man, under the orders of Government, to adjust the expenditure among the different divisions and to suggest re-appropriations. Bringing the Commissioner in in that way would be adding a fifth wheel to the coach; it is not wanted, and it would not improve the running of it.

41846. At present the money goes to the Superintending Engineer who is quickest in the field or has the most persuasive pen. He says that his projects must be sanctioned, and if he has a very persuasive pen, other people suffer?—No. All budget proposals are sent up through the Deputy Commissioner and Commissioner; they express their opinions on the proposals when they come up to headquarters to the Local Government, and their opinions are duly considered when the budget is prepared.

41847. Are there not generally far more proposals than there is money to finance them with?—As a rule, yes.

41848. Who decides?—The Lieutenant-Governor, as advised by the Chief Engineer.

41849. You think there is no danger of some particular division getting starved because the Commissioner and the Superintending Engineer have not been spry enough, or plausible enough, as to their projects? I think not.

41850. As regards roads, does not the Government keep a certain number of roads as provincial?—Yes, all through lines of communication.

41851. That is to say, all roads passing from one district to another?—Yes, through several districts.

41852. In this province, speaking roughly, does that mean a large proportion of the road work?—Yes, because we have not very many district metalled roads in the province so far. The Grand Trunk Road is the longest, extending from Delhi to Peshawar; that is under the Public Works. There are several other important metalled roads in charge of the Public

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Works Department. The District Boards maintain very few metalled roads, but most of the unmetalled roads are in their charge.

41853. Which pays most for the roads, the Government or the District Boards collectively?—The Government.

41854. You say that District Board works should be under the inspection of Superintending and Executive Engineers. Your department has some control, in respect of any work over Rs. 5,000; have they not to be passed by the Superintending Engineer?—Yes; the estimates come up for approval; but after he has approved of the estimate he is not supposed to have any further concern with it; he does not inspect the work or report on it.

41855. Is not the Executive Engineer always a member of the District Board?—Not always; in fact, he is not a member as a rule.

41856. Nor the Superintending Engineer?—No.

41857. Do you not think that they should be members?—Yes; but it would be inconvenient perhaps for an Executive Engineer at headquarters, who is very hardworked, to be attending District Board meetings in outlying small districts.

41858. You mean that there is not an Executive Engineer for each district?—No.

41859. You have 29 districts?—Yes, and we have 11 divisions, 2 or 3 districts in each division.

41860. Still the Executive Engineer might be on the District Board, and as a District Board member there would be nothing to prevent him, in the course of his tours, sending in a memo., and saying that he found such and such a road in bad order?—No; there would be nothing against it, but I think it should be put on a more certain footing than that. It should be made part of his duty to inspect local works, and report on them to the District Board or the Commissioner; then we should make sure that the work would be done.

41861. My experience in another province was that the Public Works Officers did not care for that duty particularly; they used to say, "There is the Local Fund Engineer, let him do the work"?—That is just where the difficulty lies; the Public Works Officer perhaps would not do it if it was not made part of his duty.

41862. Even so, would he take to it very kindly?—I think so, because he could be relieved of a certain amount of work which would be made over to local bodies, and he would have more time to inspect local works.

41863. Do the District Boards look after many buildings for the Government now?—Not many; they do in the outlying districts, but at the headquarters of a big town like this, Lahore, nearly all the public buildings are in charge of the Executive Engineer.

41864. When you have an Executive Engineer that is the natural thing; but in outlying districts where you have no Executive Engineer on the spot, the Boards would look after them?—Yes.

41865. If your system was brought in, they could look after more buildings, perhaps, than they do now?—Yes.

41866. When a municipality carry out big sanitary projects, drainage works, water works, and so forth, are they assisted by Government?—They are nearly all carried out for them by the Public Works Department.

41867. I meant rather in the matter of finance; do the Government make a contribution?—They do to small municipalities who have an urgent work to do and cannot afford to carry it out themselves; Government gives a grant-in-aid. As a matter of fact the provincial Sanitary Board has an annual grant of Rs. 30,000 for the purpose of giving small grants-in-aid to municipalities who are not very well off and cannot afford to do the work themselves.

41868. That would not go far for a big drainage or water scheme?—No.

41869. Suppose Amritsar wanted to start a new drainage scheme; it might cost some lakhs; would the Government pay a contribution?—No; the most they would do would be to give them the establishment free;

we are supposed to charge 12 per cent. for all work done by the Public Works Department, but in most cases Government remit the charge. They also help the municipality by giving them loans at a low rate of interest, 4 per cent.

41870. (Sir Steyning Edgerley.) You carried out the Ambala water works. Have you made a study of sanitary engineering in Europe?—Yes; I had a two years' practical course there in 1889-91.

41871. So that when you became Sanitary Engineer here you had professional qualifications?—Yes.

41872. Is there any difficulty in getting a sufficient number of Engineers from the Public Works Department to supply the sanitary needs of the province?—There is at present, because we have not a sufficient number of trained men, but gradually we shall train our men, and they should do very well. As a matter of fact, in this province we have done so many water works and drainage works that a good many of our men are familiar with the work, and would do very well indeed for any sanitary work.

41873. Do you think that the provincial Public Works Department is a sufficiently wide field for recruitment, or is there any necessity to go further and recruit a Special Service?—My idea is that we should strengthen the *cadre* of the general branch of the Public Works Department and train our own men for provincial sanitary works.

41874. Picking out the men who seem to like sanitary work and giving them special training?—Special training under the Sanitary Engineer. I have had three assistants in my office as personal assistants, who I consider have been well trained in the preparation of projects for sanitary works.

41875. Would you give facilities for further study in Europe?—Yes; after they have had five or six years in this country, I should send them home for a year.

41876. After they have learned Indian conditions?—Yes; when they know what they should make notes of; I would not send home a boy with a year or two's service, but a man who has had some experience.

41877. You would not suggest a separate service as a necessity?—No, it is not absolutely necessary.

41878. Would it be desirable?—I think not, if the system I suggest was adopted.

41879. Do you not follow the system you suggest as far as you can already?—We do in this province; we have trained several men who are fit to take up the construction of sanitary works.

41880. There is no basis in the Punjab for the suggestion that the Local Government exercise no care, but put into Sanitary Engineers' appointments anybody who comes along?—No. I do not think so. We have had to do that once or twice in officiating appointments for a short time; we have had to take a senior Executive Engineer and put him in for 2 or 3 months, but the two men who have been Sanitary Engineers in the Punjab have made a special study of the subject.

41881. You think you would always have a sufficient supply to secure trained men for at any rate permanent appointments and indeed for anything except very short acting appointments?—I think so.

41882. If you do ordinary work for a Local Board, do you charge them for doing it?—We are supposed to charge 12 per cent., by the rules, for establishment, but the Local Government generally remits the charge in the case of municipalities which cannot afford to pay it.

41883. If the Local Board undertakes the maintenance of Government buildings or other works for you, do they charge you a percentage, or is that done free too?—I think we calculate our grants for maintenance on the supposition that they will supply the establishment, and also to cover any special repairs which might be necessary later on; for instance, the renewal of a roof or something of that sort, something more than is absolutely necessary for the annual repairs of buildings.

41884. You practically work for each other free?—Yes, that is to say, no separate charge is made for establishment in each case for the maintenance of works.

41885. You suggest that because of the demands of the department the balance left at the disposal of

District Boards after providing for various fixed minima of expenditure is often insufficient to meet expenditure on Public Works; but the remedy you suggest seems rather a homœopathic one—to impose yet another fixed annual minimum to be spent on the construction and maintenance of roads and buildings?—I think it would be sufficient if the restrictions in other departments were removed, and the District Board were given a free hand to regulate its own expenditure.

41886. You would prefer that?—I should, although I have recommended that a minimum should be prescribed for Public Works also.

41887. Would that not practically eat up the whole of their income?—Yes; but if the restrictions in favour of other departments were not removed altogether, it would be necessary to fix a minimum for Public Works also to prevent the unfair distribution of funds among the different departments.

41888. (*Mr. Dutt.*) Are the demands for famine and plague expenditure very heavy?—Yes, they are very heavy.

41889. Do they take away a large portion of the income of the District Boards?—Yes.

41890. You have spoken of drainage works constructed in different municipalities; are they generally large and expensive works?—They are, in large municipalities. There is Amritsar, for instance, with an annual income of about 5 or 6 lakhs; they spent 12 lakhs on their water-works, and they are spending about 5 lakhs on their drainage works; I should call those big works in proportion to the size of the municipality.

41891. Had they to contract loans for the construction of those works?—Yes; in most cases.

41892. Did they all pass through your hands, and were the estimates also approved by the Sanitary Board?—Yes.

41893. Small works you have power to sanction yourself?—Up to Rs. 10,000, I have to approve professionally, and the Commissioner sanctions administratively.

41894. Do District Boards ever construct such large sanitary works?—No.

41895. Do they ever undertake any sanitary improvements the estimates for which have passed through your hands?—Not District Boards.

41896. Have the municipalities any sanitary inspectors or other similar servants of their own?—Yes.

41897. The large municipalities?—Yes.

41898. They prepare the estimates in the first place and submit them to you?—No; in many cases I have to prepare the estimate for large sanitary works; they have not got the staff to do it, so I have to do it, or it is done by the local Public Works Department Officers under my direction.

41899. You have suggested that the District Boards ought to generally increase the pay of their engineers

and get a better class of men. Is not the work which they have to do generally very easy engineering work, either unmetalled roads or plain bridges?—And metalled roads and buildings.

41900. Are there many buildings in the case of District Boards?—No, they do their own buildings.

41901. Roadside bungalows?—And rest-houses, and so on.

41902. If they had a better class of engineers, could they do most of these works without requiring any supervision?—No, I think not; I would not advise their being left to themselves; professional supervision is absolutely necessary.

41903. But if they had good professional men, on pay of Rs. 600 or Rs. 800, as the Bengal District Boards have in the large districts, would they still require supervision in respect of all works, or only in respect of very important works?—I think it would be a good thing always to put the District Engineer under the Public Works Department staff, simply to make him feel that there is some one who is going to inspect his work, and that if he does good work it will be appreciated, and he will get a good report on it, while if he turns out bad work it will be condemned.

41904. You mean, under the supervision of the Executive Engineer?—Yes; or the Superintending Engineer.

41905. Suppose the District Board Engineer had the same qualifications as the Executive Engineer, would that not lead to friction?—If he is a man of good standing, and draws a salary of about Rs. 700 or Rs. 800, it would be sufficient to get the Superintending Engineer to inspect his work.

41906. Any remarks that the Superintending Engineer had to make would be forwarded to Commissioner?—Yes, for communication to the District Board.

41907. You tell us that, generally speaking, for the work which is done by the Public Works Department for the District Board, the Government does not charge the District Board?—As a rule it does not, if the District Board cannot afford to pay. For the construction of original District Board Works, such as roads and buildings, we generally levy establishment charges if the Board can afford to pay them. Where Government remits departmental charges more freely is, as a rule, in sanitary work, to encourage municipalities to take up sanitary work; but for the ordinary construction of District Board roads and buildings, we charge our 12½ per cent., as a rule.

41908. Then, for the work which you entrust to District Boards, do they charge you?—This is generally maintenance work; their establishment charges are included in the grant which is made to them every year for maintenance. The grant consists of funds for establishment, annual repairs, and special repairs. All these are lumped together, and the combined grant is made over to them annually for maintenance.

(*The witness withdrew.*)

Mr. J. J. MULLALY was called and examined.

41909. (*Sir Frederic Lely.*) You are Secretary to Government in the Public Works Department and Chief Engineer of the Irrigation Branch?—Yes. I have been employed during all my service in the Punjab.

The department has, at the present time, the following gazetted officers:—Two Chief Engineers who are also Secretaries to the Local Government; 10 Superintending Engineers; 31 Executive Engineers; 67 Assistant Engineers; 16 Covenanted Engineers; 50 temporary Engineers, and 22 Deputy Collectors. These officers are divided into 10 Circles of Superintendence, containing 41 divisions and 112 sub-divisions.

The operations of the department comprise the construction and maintenance of irrigation works in the Punjab and North-West Frontier Province, with the exception of a few small works which are controlled by District Officers, and the assessment of revenue from the works (with a few exceptions) in their charge.

As Chief Engineer, I am responsible for the design and execution of irrigation works and the assessment

of revenue from the works in the charge of the department. As Secretary to the Local Government in the Public Works Department, Irrigation Branch, I am responsible for advice in departmental matters given to the head of the Local Government (Punjab) or Administration (North-West Frontier Province), and for the exercise of the powers delegated by the Supreme Government to the Local Government or Administration.

Canal Officers tour more and more frequently than the officers of other departments, and have in consequence greater opportunities for personal contact with the people. As Sub-Divisional Officer, and again as Executive, the irrigation man lives his life amongst the people whose interests are his. He is constantly on tour through out-of-the-way places, seldom if ever visited by European officers, for, without frequent inspections of the numerous small channels traversing unbeatn tracts, he cannot administer his division properly. He comes into touch with the people automatically, and learns their language and their

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customs and their wishes without effort. Any change in the current system would be likely to have disastrous effects. Any dual control of irrigation administration would be most detrimental to the interests of the people and of the Government. The Engineer must have a personal acquaintance with every feature of irrigation, on the present lines, before he can apply any remedy to remove alleged disabilities. It would introduce an impossible *régime* to relegate to him solely the construction and maintenance of irrigation works. The time and argument involved in investigating every cause of complaint lodged under any dual system of control and represented through native subordinate agency would bring matters to an *impasse* so far as the interests of the cultivator, and therefore of the Government, are concerned. There is no rule of thumb for training the irrigation expert; he must live amongst the people and acquire an intimate knowledge of them and of their ways; he must gain intuitively a knowledge of the "demand" and act promptly to satisfy it, balancing the relative merits of situations. He cannot do this unless he have control of all details except the actual gathering in of the *£ s. d.*

Transfers have been very frequent of late, owing to the beginning of work on four large new canals almost simultaneously and the want of establishment. The new posts have now been almost all filled up, and transfers will not in future be so frequent, if the present rate of recruiting is maintained.

A certain number of the charges could well be reduced in size, but this can and will be done gradually and need not cause trouble.

I wish to sound a note of warning with reference to the demand being made by the District Officer for larger powers. The demand is based on a genuine belief that it will be for the good of the country, but it must be remembered that power means responsibility, and therefore more work. The District Officer's complaint now is that he has so much to do that he cannot attend to his most important duties, and yet the demand has been made that he should be given the power of interference with departmental experts in their work. This will further increase the burdens not only of the District Officers, but also of all the departments. The country is making and will make enormous strides in every direction. The people are becoming highly educated; they rightly demand the best Government we can give them, and they demand a share in it. Their demand for the best in every branch of the service has led to the employment of experts in law, in settlement matters, in education, and so forth, and care will have to be exercised to see that these experts are not hampered in their work by the interference of junior men having no expert knowledge of any kind.

41910. The other branch of the Public Works Department, the Roads and Buildings Branch, is separately represented in the Secretariat?—That is represented by Mr. Farrant. He is also Chief Engineer and Secretary to Government.

41911. You chiefly refer to the propriety of dividing the management of irrigated land between the Irrigation Officers and the Canal Officers; has not that subject been dealt with by the Colonization Committee?—Yes.

41912. (*Mr. Dutt.*) Is the irrigation assessment in all the canal colonies in the hands of the canal engineers?—It is; by assessment I mean measurement.

41913. Measurement and fixing the amount to be paid by each cultivator?—Yes.

41914. The actual work of collection is in the hands of the Revenue Officers?—Exactly.

41915. Does this assessment vary from year to year according to the crops raised?—No. It is fluctuating in so far that we give remissions.

41916. You fix the amount, and then you give remissions if the crops are not up to the full standard?—Yes.

41917. Are complaints frequent about the non-distribution of water or the insufficient distribution of water?—They have been lately on the colony canals, but not on the others.

41918. Have you any remedy to suggest?—It is very difficult to suggest any remedy; the water in a river being limited, we have to do the best we can in its distribution.

41919. Has the Deputy Commissioner any voice in the distribution of water?—He can always listen to complaints from persons interested, and investigate them, and represent the result of his enquiries to the local Irrigation Officers, who immediately take the necessary steps to improve the distribution.

41920. Would you be in favour of a recommendation that has been made that the Deputy Commissioner should have some control over the distribution of water?—Absolutely not. I am quite sure it would not work, because he, as an outsider, knows nothing of the difficulties of distribution, and he might ask for water to be sent to one place when it was more urgently wanted in another.

41921. But he generally has charge of a large area—the whole district?—He has the whole district.

41922. Therefore, would he not have a chance of knowing the needs and requirements of different parts of the district, and of the different parts of a canal colony?—But a canal irrigates as many as three districts—it passes through one to another.

41923. When it irrigates three districts, is one Public Works Officer in charge of the areas within the three districts irrigated by that canal?—It is divided up possibly into two, possibly into three divisions, irrespective of district boundaries.

41924. But there is always one Head for the whole canal?—Yes.

41925. We have heard complaints about of corruption among the lower officers who are engaged in distribution work; do you think there is some foundation for those complaints?—Certainly, where the men are under-paid or low-paid that is the case in all departments.

41926. Do the superior officers do all that they can to check that corruption among the lower officers?—Certainly, that is one of their first duties.

41927. But is the duty rigidly performed?—To the best of their ability: to the best of my knowledge it is.

41928. (*Mr. Hishens.*) For irrigation purposes is the province divided into circles?—Yes.

41929. How many circles are there?—We have now 10 circles.

41930. Usually they are larger than a district?—Yes, considerably.

41931. Do they coincide in any way with a division?—No; they do not. They are arranged quite irrespective of districts or divisions. They must be arranged with reference to the canal-irrigated tract, which must be divided up according to the area commanded.

41932. Would it be the case that if the Deputy Commissioner, or the Commissioner, were given power to order that this or that should be done in the way of distribution of water, the Irrigation Officers would lose their sense of responsibility?—Certainly, you would take the whole responsibility from them.

41933. And if anything went wrong, they would try and put the blame on somebody else?—It would certainly not be their fault if they were ordered to do a thing, and matters in consequence went wrong.

41934. And there might be considerable scope for misunderstandings and trouble?—Very great indeed.

41935. Your view would be that one man must be definitely responsible for a specific job, and that you cannot have two people in charge of one job?—Quite so.

41936. Is the work of distribution, for example, highly technical?—It is technical in a sense; the basis is technical.

41937. We were told in one place that the scientific distribution of water was a study which was not yet complete, and that considerable development and improvement might be looked for in that direction?—We are working to that end.

41938. It would be difficult for the Irrigation Engineers to carry that out unless they had a fairly free hand?—Quite so.

41939. Does the same thing apply to other aspects of the Public Works Department? Take roads for example; is the Executive Engineer or the Superintending Engineer the man who is most likely to

know what is the best thing to do in the interests of the province, in regard to roads under his control?— I think so, within certain limits.

41940. But if it came to be a question between making this road, or making that road, within the radius of an Executive Engineer's charge, who would be the best person in that radius to say which road should be made, the Engineer or the Deputy Commissioner?—I think they would be about the same.

41941. In your opinion it would be advisable to leave the last word with the Executive Engineer?—Certainly, not to the Executive Engineer, but to the superior officer in the Department—the Secretary to the Government.

41942. Your point would be that if there was a difference of opinion between, say, an Executive Engineer and a Deputy Commissioner, the matter might be referred to the Commissioner, who could discuss it with the Superintending Engineer?—Certainly.

41943. And if they differed, then it could go to Government?—Certainly.

41944. But in practice would not the prestige and influence of the Commissioner weigh for a good deal, and the Superintending Engineer would not be likely to go against him unless there was some very substantial reason?—I can only speak for the Irrigation Branch, and in our Branch we always lay the greatest weight on the Commissioner's wishes; in fact, all our projects are referred to him in the first instance; the same thing would probably apply to the other Branch, but I have never been in that Branch, and I cannot say.

41945. (*Mr. Meyer.*) You say that the Canal Officers know the language; are they all acquainted with Punjabi?—Not very well with Punjabi, except what they pick up by actual contact with the people.

41946. Are they really always in the saddle and going about?—They are always in the saddle.

41947. It would be unfair to say that a Canal Engineer confined himself to his office and such occasional inspections of water as were necessary, and that he did not go about among the people?—Certainly it would.

41948. As to this present system, under which the Irrigation Officer practically has the last word, and the District Officer not, in the matter of irrigation, has it not been found unsatisfactory in some respects?—There is a Committee sitting with regard to the Punjab canal colonies.

41949. Has there not been a certain amount of evidence to the effect that the existing system is unsatisfactory?—Yes, there have been complaints.

41950. Do you regard those complaints as unfounded?—No, I regard a great many of them as founded, but they are due to our insufficient knowledge of the laws regarding the flow of water, and to the immense tract of country that we have to irrigate. We have been only 10 years at the Lower Chenab Canal and in that time we have irrigated an area of nearly two million acres; the task is so great that I am surprised there have not been more complaints.

41951. You have done a great work, of course, but do you think the existing system is sound, and that it is merely owing to the insufficient experience of your staff as a whole that there are complaints?—Yes.

41952. You would agree that the Irrigation Department, or any other department for that matter, exists for the benefit of the people and of Government?—Certainly.

41953. Then, again, your policy seems to be controlled by experts. Do experts ultimately control the Public Service in England or in any other country that you know?—It is a question of what you mean by control.

41954. There are two alternatives. You have got the expert, who must always be available as an adviser; but the ultimate control is entrusted to somebody who is not an expert, but who has administrative experience, and who is supposed to be able to look beyond the expert's point of view—that is one theory. The other is that the Government should be that of experts entirely—that medical work should be run by a medical

man, irrigation work by an irrigation man, army work by an army man, and so on; is the latter the theory you favour?—Not at all; but I consider that if you tell a surgeon that he should cut in this way, and he considers that he ought to cut in that way, the decision of the surgeon should be final; it is when you descend to matters of detail of that kind that the expert ought to have the final say.

41955. Take another analogy: take a man who wants a house built. If he is a wise man he will trust his architect, but he must in the end decide what sort of house he wants and what he is prepared to pay for it?—Exactly.

41956. You will admit that in the government of this province the Administrative Department, the Lieutenant-Governor, the Commissioners, and so on, should have their say in that respect?—They do have their say; all our projects are first submitted to them, and they may go to the Government of India and even to the Secretary of State, and when they have all had their say we carry out the work.

41957. Take the Commissioner's power in respect of the Public Works budget; you contend that he has his say. Let me take you back to the days when you were a Superintending Engineer. You had to prepare a budget, I suppose, for expenditure in your circle?—No; ours is not provincial expenditure at all; ours is all imperial.

41958. Your experience has been entirely irrigation?—Yes.

41959. But somebody has to prepare the budget estimates for the year?—It goes to the Government of India.

41960. But who prepares the estimates here?—I prepare them as Chief Engineer.

41961. Do you get the materials from your Superintending Engineers?—Yes.

41962. Take the Superintending Engineer, does he consult the Commissioner at all?—No; he does not.

41963. Suppose he desired a new work—let us suppose some distributory channel to an existing canal—would he consult the Commissioner?—We never make a distributory channel without consulting both the Deputy Commissioner and Commissioner.

41964. Then the answer is that he does consult the Commissioner?—Certainly but not in the matter of the budget.

41965. All your irrigation work is really big work?—Yes, we have no tanks.

41966. It has been suggested in other provinces that the Government Public Works budget should be to a large extent broken up, so far as it refers to buildings and roads, and minor irrigation works (tanks, and so forth), and that the Commissioner should be given a divisional budget within which he should have the same power of sanction as the Lieutenant-Governor has now in respect of the budget as a whole; would you see any objection to that?—I have not had an opportunity of studying that view of the question, and I do not quite see where it would lead to.

41967. The advantages urged in favour of it are these; in the first place that it ensures each division getting a certain amount of expenditure, and in the second place that it stops references to headquarters; the Superintending Engineer and the Commissioner might settle things between themselves?—Perhaps I may suggest something that we actually do now; as Chief Engineer of the Frontier Province, with the Revenue Commissioner's approval, I allot a sum of Rs. 20,000 to Rs. 40,000 yearly (at their demand) to the Deputy Commissioners as a lump sum, or rather I allot it to the Revenue Commissioner, and he distributes it to the Deputy Commissioners as he finds it necessary.

41968. That is for minor works?—Yes.

41969. The principle of the suggestion I refer to is the same, but it would be for much bigger works?—I am not prepared to give any opinion about that.

41970. (*Sir Steyning Ederley.*) Is your establishment of officers interchangeable from Irrigation to Roads and Buildings, or are they absolutely divided?—Our work is so very technical that we are practically separated; occasionally we do have transfers.

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41971. Is the establishment of 198 officers entirely Irrigation?—Entirely Irrigation.
41972. Is that entirely a provincial establishment or entirely imperial?—It is all chargeable to imperial revenue, but some of them are classed as Provincial Engineers and some as Imperial Engineers.
41973. Can you explain how the classification is made?—I think as a general rule it is regarded as separating the Imperial from the Provincial Service.
41974. But it is provincial and imperial in a different sense than if they were paid for by the provincial Government or by the Imperial Government?—These are all paid for by the Imperial Government.
41975. Does the money come from the allotments for the works that they superintend?—Yes.
41976. Then the provincial Public Works establishment is practically only Roads and Buildings?—Practically only that.
41977. And you do not include that in this statement?—No.
41978. Do the Government of India do all the postings?—No; we do the postings except for Chief Engineers and Superintending Engineers.
41979. Those are done by the Government of India?—Yes.
41980. Is that a good system?—I think so.
41981. You would rather continue that than put it into the hands of the Punjab Government?—We have practically a free hand in the matter; the Government of India very seldom interferes.
41982. In that case would it not be just as well to give the power to the provincial Government?—I think not, because the Superintending Engineers and Chief Engineers are on the list for the whole of India, and liable to be transferred to any province.
41983. Is that a good thing?—Yes.
41984. You might get a man sent here as Superintending Engineer or Chief Engineer with very little experience of the particular irrigation works that he would have to be responsible for?—Our Chief Engineer has just come from the United Provinces.
41985. You think it is a good system?—He is a first class man; our works will certainly not suffer from it.
41986. Assuming that it is essential, in your view, that the Executive Engineer should have full charge of the distribution of water and the assessment—and, I suppose, remissions—is there any reason why you should not go a step further, and make him an *ex-officio* Assistant Collector, responsible for the collections also?—It never struck me; I have not considered that.
41987. The difficulty is, apparently, at present that you have two establishments coming in at one stage or other; would it be a solution to have only the one establishment under the Deputy Commissioner, responsible for everything?—You cannot have a man under two superiors, that is the difficulty.
41988. You tell us here that the Executive Engineer is very much better acquainted with the whole area and everything in it than anybody else can be; why should he not collect the revenue and deal solely with the area?—I am not strong on general revenue matters, but it seems to me that the revenue collector has other moneys to collect as well as canal revenues, and we should hardly be prepared to take it all over; I should say, let the revenue authority remain as he is.
41989. You would not adopt the suggestion?—I think not; we are not prepared to go so far out of our line.
41990. Is not assessment rather out of your line?—No; we claim that without it we cannot do our work, because it gives us an intimate knowledge of the demand for water.
41991. When you have made the assessment, why must you hand over the collection, the enforcement of your assessment, to somebody else?—It is the simplest thing to do: the establishment is there to your hand.
41992. Then you get a double establishment, and complaints go up to one against the other, and so on?—No; the bills are simply sent to the central office, and they claim for the money.
41993. Suppose somebody comes up to them and says "I ought not to pay, I have not had enough water?"—Then it is simply referred back; it is all perfectly simple.
41994. You say "Power means responsibility and therefore more work"; why more work?—Because if you undertake the responsibility for a thing you must go to the bottom of it and sift the matter, and that always means more work; it will not do to give an order without thinking it out.
41995. Nor will it do to make a recommendation without thinking it out; if you make a recommendation instead of settling the matter yourself, you have to wait for the answer and deal with that, and by the time you have thought it out you are ready to dispose of it?—Yes.
41996. Therefore, why "more work"; it is easier to pass the order at the time and have done with it than to recommend and take it up again when the answer comes down?—I was referring there, I think, to a special matter.
41997. No; there is the general statement that "Power means more responsibility and therefore more work"; it seems to me that power may mean more responsibility, but it may not necessarily mean more work?—Very well; I accept that.
41998. (Mr. Meyer.) We were told in the United Provinces that the Canal Engineers there had Deputy Collectors—Extra-Assistant Commissioners as you call them here; have you not got Deputy Collectors attached to you?—Yes.
41999. Do they try cases arising out of breach of canal regulations, and so on?—Provided that the Executive Engineer considers it is conducive to the good working of the canal; it is simply in cases where people cut the banks.
42000. This man tries the case and fines or imprisons, and all the rest of it?—Yes.
42001. Do you employ him in any other way?—Yes; he is one of the men to check the *zilladar's* work.
42002. What is his status; is he an Extra-Assistant Commissioner in the regular line?—No; he is not, he is purely an irrigation man; he is a promoted *zilladar*.
42003. Drawing what pay?—He draws about Rs. 200 to Rs. 400.
42004. Has he got first class magisterial powers?—No; only second class.
42005. What does he rise to, or does he remain in the department altogether?—He remains in the department; he simply tries the very pettiest cases.
- (The witness withdrew.)
- Adjourned.



## SEVENTY-FIRST DAY.

LAHORE, *Saturday, the 18th April 1908.*

## PRESENT :

Sir FREDERIC LELY, K.C.I.E., C.S.I., *Presiding.*Sir STEYNING EDGERLEY, K.C.V.O., C.I.E., I.C.S.  
R. C. DUTT, Esq., C.I.E.W. S. MEYER, Esq., C.I.E., I.C.S.  
W. L. HICHENS, Esq.

Mr. W. M. HAILEY, I.C.S., was called and examined.

42006. (*Sir Frederic Lely.*) You are Secretary to Government in charge of the Revenue, Commerce, Local Self-Government and Home Departments?—Yes. I have had experience in a district as Colonization Officer, but none as a Deputy Commissioner. I acted as an Assistant Commissioner and Sub-Divisional Officer for about two years in the early part of my career.

Admitting that the system introduced in 1904 was a great improvement on the unsatisfactory system which had preceded it for 30 years, it was still only a half measure. The hands of the Local Government are still tied in incurring expenditure on the internal development of the province, and the element of uncertainty in its finances has not been removed. Complete financial independence is no doubt impossible as long as the Imperial Government has to bear the major risks of Indian Finance,—heavy loss in opium revenue, or national disaster, such as war or severe famine; or so long as it remains the custodian of the interests of the general tax-payer, who is entitled to the remissions of surplus revenue. The schemes formulated by certain members of Lord Dufferin's Finance Committee of 1884–85, and repeated by the dissentient minority of the Expenditure Commission of 1895, are based on the theory that the whole of the revenues raised by provincial taxation should be appropriated to the needs of the province, and imperial requirements met by contributions from the provinces. But comparative financial independence can be secured without so complete a reversal of the present position.

At present provincial shares with imperial a number of heads of revenue, and shares, in, roughly, the same proportion (though with some important exceptions), the corresponding heads of expenditure. As a result, the province must submit its budget of expenditure not only for information, but for revision, to the Imperial Government. There is not only the uncertainty whether the Government of India will accept its expenditure on shared heads; there is the equally undesirable need of preparing the budget four months in advance, with the necessity for placing undue reliance on that sorry financial expedient, the "revised estimate." Again, there is the damaging limitation that the Local Government cannot without further sanction re-appropriate from savings on a shared head for expenditure on any other head, and there are difficulties connected with the transfer of fresh services to the Local Government in pursuance of schemes of reform. Though the service may be one involving continually increasing expenditure, the Imperial Government finds it necessary, under the present system, to make a fixed contribution, instead of recognizing an increasing liability. To recognize the latter would import uncertainty in its own finances instead of into those of the province. The result is apparently inevitable under the system; but it is easy to understand that the province fears these Danaan gifts.

It is clear that the rest of the objection lies in sharing heads of expenditure. If the Imperial Government would take from the province a proportion of receipts either in gross or detail, and would at the same time abolish the shared heads of expenditure, the province would be in a position (1) to budget with greater certainty; (2) to frame its budget later in the year; (3) to re-appropriate from savings without the necessity of obtaining sanction; and (4) the change would do away with the irritating system of fixed doles to meet the transfer of services involving increasing

expenditure. At the same time the interests of imperial finance would need to be safeguarded. The present system provides that the Government of India shall revise the existing proportions in case of necessity; and such a condition would be equally inevitable in the arrangement now proposed. The one danger is that the Local Government might work its expenditure up so nearly to the level of its receipts that when the call comes it would be unable to meet it without hopelessly disorganizing its services. To meet this, the minimum balance might be increased, and a standing rule made that the total expenditure of a recurring type should not bear more than a definite proportion to the whole. The Government of India, secure from any embarrassment owing to the action of the Local Government, could then afford to withdraw most of the restrictions which limit the latter in its expenditure, and to allow it to develop its own services on its own lines. The province, as Sir David Barbour said, is a big enough unit to have a financial system of its own, and to manage its own affairs.

As regards the basis on which the share of the total revenue to be enjoyed by the province should be calculated, it is clear that no arbitrary rule can be laid down. The 40 or 50 per cent. rule advocated at different times is mere idealizing. Although the present arrangement obviously leaves the Government of India with large surpluses, the Punjab would probably not complain that the proportion now allowed to the province is so far unfavourable that it requires radical revision. Judged by previous standards, the Government of India has not dealt illiberally with the Punjab. In the course of the five settlements carried out up to date, the province has been allowed on every occasion (with one small exception) to enjoy the result of its own increases of revenue. But the province would ask that, if in the future the Government of India finds itself with a surplus to dispose of, it should distribute that surplus for the general benefit of provincial revenues, instead of dictating the lines on which it shall be expended. The dictation of general lines soon merges into the supervision of details, and it is cases of this type which emphasize most strongly the weakness of the Local Governments. The resolution of 1877 announced that the Governor-General "will as far as possible avoid interference with the details of the administration of the transferred accounts and any embarrassment of provincial finance." As long as the system of doles continues, no one can say that this ideal has been reached.

At present provincial expenditure is incurred entirely against income. There are many works which might be profitably undertaken as a charge against capital expenditure, and I would allow the Local Government to open a loan account with the Government of India for such purposes. It would also appear desirable to allow the Local Government to guarantee (1) interest on light railways, (2) interest on loans by District Boards, as these bodies would thus be able to secure a lower rate of interest than they would otherwise have to pay.

At present the direct influence of the Government of India is felt in administrative matters in two ways. It lays down lines on which alteration should be made in existing provincial procedure; and this is frequently done without consulting the Local Government. I may instance the recent orders requiring the Local Government to localize the vaccination establishments; the direction to the Local Government to modify its Court of Wards procedure by abolishing

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the district Court of Wards in favour of a central Court; the desire expressed by the Government of India, but not pressed to a conclusion, that the Local Government should take steps to found an inspecting Sanitary Department. In the second place the schemes of reorganization initiated and financed by the Imperial Government not only indicate lines of reform to the provincial Government, but dictate the minutest details of the action to be taken. They are not perhaps the reforms which the Local Government would itself choose as most pressing. Still they are reforms, and are welcomed as such; but the welcome does not extend to the prescriptions of minute detail with which the orders are accompanied. It is sufficient to quote the police reorganization scheme, which in the course of its development has involved a mass of correspondence on details; while the attitude of the Government of India throughout has been to insist on the most minute compliance with the scheme laid down by it.

The attitude of the Government of India should be that of an advisor on lines of policy, rather than that of a superior indicating details. If it has surplus revenues, it should allow the Local Government to decide which of its services calls loudest for reform. It is not a point on which the Local Government is likely to be ignorant.

In this connection I would call attention to a class restrictions on the powers of the Local Government in matters which are perhaps rather financial than administrative. I refer to cases such as the following: (1) the limitation on the powers of the Local Government to extend an existing settlement from 20 to 30 years, or to sanction a new settlement up to 30 years; (2) the limitations imposed on the powers of the Local Government to grant allowances to Assistant Surgeons in charge of lock-ups or to Hospital Assistants; (3) the minute rules laid down by Government of India regulating the promotions and punishments of the subordinate medical staff; (4) the rules contained in the Hill Allowance Code regulating in minute detail the amount of establishments which officers may take up to Simla; (5) the ruling of the Government of India that vaccination inspectors should be a provincial and not a local charge; (6) the series of rulings regarding the classification of articles for purposes of octroi, and such restrictions as, *e.g.*, the farming of octroi fees; (7) the recent series of rulings on the subject of details of excise administration; (8) the restrictions on the sale of *nazul* lands; (9) the minute restrictions on the continuance of life assignments; (10) the restrictions on grant of leave to professors of medical colleges and Administrative Medical Officers; (11) the restriction on appointment to posts listed as open to the Provincial Services. I quote these as examples only of a somewhat numerous class of cases in which the Local Government might well have been left to exercise its discretion, when main lines of action have been indicated.

Something has already been done to substitute the statutory "control" of the Government of India for the "sanction" which under many of the older Acts was needed before the Local Government could make rules (*e.g.*, Land Improvement Loans Amending Act, VIII of 1906). But a good deal remains to be done in this direction. No general act of delegation would, I think, be sufficient, and I think that specific legislation is necessary.

The departments of the Government of India have probably less departmental bias than the departments of the Local Government. The personal factor is necessarily less prominent; for the Government of India does not contain the phenomenon peculiar to provincial Governments, the Head of an Executive Department re-appearing, like a quick-change artiste, as a Secretary to Government. But if the influence is not appreciably departmental, it is certainly towards uniformity. The allowances of the subordinates in the Punjab finger-print bureau have had to be withdrawn (in spite of a second protest by the Local Government), because the Home Department understands that they are not given elsewhere. The Assistant Secretary to the Financial Commissioner is not allowed to go to Simla, because the officer in a similar post in the United Provinces is left in Allahabad. The wards' estate in the Punjab must be managed by a central Court, because this is the system which has commended itself in the United Provinces.

The remedy would seem to lie in granting to provincial Governments increased powers of expenditure, and by conceding the position that the Imperial Government, while advising on questions of policy, should have questions of detail for the decision of the Local Government.

There are now 13 Directors-General or Inspectors-General, dealing with non-imperial or only partly imperial departments, and the majority of the appointments have been made in recent years. For the present purpose those officers who deal with purely technical subjects (*e.g.*, archæology) may be put on one side. The Local Governments see little of their work, and would always be prepared to welcome their advice on their special subjects. There seems reason to anticipate, on the other hand, that the appointment of imperial officers who deal with questions affecting the general administration will tend to minister to the cause of uniformity and eventually to undermine the authority of the Local Government. The Government of India announced that one of the objects of appointing an Inspector-General of Excise was to "co-ordinate as far as possible the systems of different provinces." The Chief Inspector of Explosives, who started as a technical adviser pure and simple, is (by order) consulted by the Local Government regarding every license given for an installation. The Sanitary Commissioner now corresponds officially with the provincial sanitary authorities. The Inspector-General, Criminal Investigation Department, has addressed the Inspector-General of Police on the question of allowances to certain subordinates. The Director-General, Indian Medical Service, adjudicates on complaints regarding the character rolls of Military Assistant Surgeons permanently employed in the Punjab, and the Inspector-General of Civil Hospitals, Punjab, is not allowed to see their character rolls. If the presence of such officers is necessary to the Government of India, they should be retained purely as advisors, and information which the Government of India requires on the subjects with which they deal should be obtained from the Local Government. That the Imperial Government should be prepared to rely for information on the impressions of an officer imperfectly acquainted with the local conditions would seem to argue that the provincial Government is unfitted to exercise any control over the services entrusted to it. Further, in the interests of the authority of the Local Government the correspondence of the Inspector-General should be directed to it, and not to its officers.

A number of administrative reforms of the first importance have been carried out of late years under the direct orders of the Government of India. No purely administrative reform of equal importance has been initiated (as regards the Punjab) by the Local Government, though measures probably even more far-reaching in their effect on the general population (such as the Land Alienation Act) have owed their origin to the Local Government. It is necessary, however, to make two remarks. The reforms referred to—of the type of police reorganization, the promotion of primary education, the institution of an agricultural department—have been rendered possible, because the Government of India had a financial surplus; and it has employed that surplus in pushing certain measures which appeared to it of urgent importance. It has gone further and dictated the exact details (*e.g.*, in matters of police and education) of the reform contemplated. But there were not in every case the reforms most needed in the province. Nor were the lines on which they were carried out in every case the most suitable to local conditions. Thus the release of the 20 per cent. contribution now paid by the District Boards to the provincial funds is probably a measure of greater importance to the province than the foundation of a number of primary schools: the reorganization of the pay of the land revenue and ministerial establishments is probably a more urgent necessity than the abolition of the patwari cess, or the increase of the pay of certain portions of the police force. No attempt has ever been made to estimate the comparative urgency of the reforms which lie before the Local Government.

I am not aware of any cases in which appeal lies to the Government of India in respect of administrative action by law or rules having the force of law. But as regards appeals under executive rules, the existing

appeal rules are too wide in their scope. However seldom the right of interference may be exercised, the fact that such appeals can be made loosens the hold of the provincial Government on its establishment; and by doing so it increases the difficulty of the greatest problem of the administration, that, namely, of securing honesty among its officials. No appeals against dismissal or other punishment should be forwarded from the servants of a Local Government who are appointed by that Government or by any local body under it. As regards the orders requiring all petitions for mercy to be forwarded, humanity demands that the delay in execution of the sentences in death cases should be restricted as far as possible. The present procedure merely leads to a fruitless delay, and I would forward no appeals except those in which the Lieutenant-Governor himself wishes (owing to the existence of exceptional circumstances) to refer the matter for the further orders of the Governor-General. No appeals against sentences of imprisonment should be forwarded. A certificate that reasonable grounds of appeal existed would involve a recognition of the right of ultimate appeal, and destroy the necessary sense of finality in the orders of the Local Government. It is a provision suitable for the solution of disputed principles of law, not for questions of fact or of conduct.

The number of returns in the Civil Department has increased in the last ten years by 19; but a considerable part of these are in the Political Branch. The increase in the Revenue Branch (10) is not large when it is realized that we now send reports regarding colonization and agriculture and co-operative banks. The only instance of late years in which a return has been required involving much increased labour is in connection with the agricultural statistics. At the same time, a scrutiny of the returns submitted to the Government of India with the annual reports will probably show that they contain in many cases an amount of detail which is not essential for administrative purposes. It may be needed by the Government of India or the Secretary of State, but is certainly not required by the Local Government. The last annual Jail Report has 73 printed pages of returns, the Dispensaries Report has 56, the Sanitary Report has 35, the Season and Crop Report has 27. On the other hand, the Police Report, for which the Government of India has lately prescribed new forms, has only 16. It is also possible that some of the present reports might well be made triennial instead of annual. A year is in many cases too short a period to judge of progress, and a system of triennial reports would reduce somewhat the burden of constantly writing and reviewing these publications. In any case, the practice of double reviewing should be abolished. We are now confronted with the Government of India orders on the Local Government's review of the Financial Commissioner's review of the Excise Commissioner's compilation of the Deputy Commissioner's reports. We can dispense, at all events, with one of these redundancies.

The Government of India requires an abstract of all B (*i.e.*, unprinted) proceedings to be sent to it. Such abstracts convey little information as to the precise nature of the papers, which are in themselves of minor importance. For provincial purposes an index of these papers would be sufficient, and if the province sent up only its A (printed) proceedings, a good deal of time would be saved.

It has long been a matter of complaint that orders in revenue matters are delayed, because, after being fully considered by the Financial Commissioner, they are referred officially to Government and scrutinized anew in the Secretariat. There is, I believe, no remedy for this, except so far to extend the powers of the Financial Commissioner as chief revenue authority that the matters which come up to Government shall be of sufficient importance to justify the double scrutiny.

It is the position of the Commissioner rather than that of the Financial Commissioner which demands the grant of increased administrative powers. His position has on the one hand been impaired by the growing strength of the various departments; but he still enjoys great personal influence among natives of all classes; and the very fact that the march of centralization has left his position somewhat undefined, has increased his independence, and therefore his potential

value. The following suggestions are made on the theory that we should seek to strengthen his general position without unduly burdening him with detailed administrative work.

He should have a recognised position in regard to Public Works. He is the best authority on the needs of his division in regard to roads and communications. The provincial budget for these purposes should be divided among Commissioners; the projects would, of course, be dealt with on the technical side in the Public Works Department; but the initiative in projecting works, and the allotment of funds for their execution, would lie with the Commissioner. At present not only has he no clear position with regard to these works, but there are cases in which the advice of Commissioners have been treated very cavalierly by the department.

As regards revenue works, the Financial Commissioner, as Head of the Revenue Department, would still be the chief sanctioning authority; but Commissioners should have power to sanction works up to Rs. 2,500.

As regards police administration, the result of the Police Commission has been that instead of exercising control (with powers of a Deputy Inspector-General) from within he is now to exercise a watchful insistence from without. The phrase is better suited to adorn a resolution than to solve a situation. We cannot, perhaps, revert to the former practice, but in giving effect to the orders of the Government of India it should still be possible to give him power to insist adequate punishment of police officers of proved bad conduct.

He has no definite position as regards either the Educational and Medical Services. He could, however, secure for him a more definite status in this respect if his position with regard to local bodies were more fully recognized by the Local Government. These bodies are at present bound by a rule laying down an enforceable minimum expenditure on medical and educational objects. This rule should be—as it possibly will be—abolished; and if this is done, the Commissioner will be the authority to decide regarding the adequacy of the provision made by local bodies on these objects. The local Education Code is to be revised; and in doing so, the Commissioner should be given a definite position in regard to the management of primary schools. He, and not the Inspector-General of Civil Hospitals, should decide whether the local body should be allowed to open or abolish a dispensary. The local body should be subject to his authority, and not to that of the Inspector-General of Civil Hospitals or Sanitary Commissioner in altering the scale of establishment in hospitals and the strength of the vaccine establishment.

He should be controlling authority for sub-registrars, making all appointments himself; the present sanction of Government is only formal. He should also appoint visitors to jails, and grant certificates to persons fit to prospect for minerals.

As regards District Boards, he should have power to appoint and also accept resignation of members (sections 11 and 13 of Act XX. of 1883); also appoint a Chairman (section 13); have full powers to sanction rewards for servants; his power over the budget should not be restricted by the rule of enforceable minima; his administrative sanction should be sufficient for the execution of any major work (the sanitary schemes being dependent on the concurrence of the Sanitary Board); he should have powers to sanction permanent advances up to Rs. 500; he, and not the Inspector-General of Civil Hospitals, should be the authority to decide if dispensaries shall be opened or closed. As regards municipal budgets, he should have power to sanction without regard the enforceable minima, and should give administrative sanction to expenditure on large Public Works, subject to the concurrence of the Sanitary Board. The Accountant-General has already been warned that his sanction must be taken as final on all questions regarding the propriety of expenditure from local funds.

At present his position with regard to irrigation is very unsatisfactory. No extension of existing irrigation should be made without a Commissioner's concurrence. There are instances of extensions being made in places where the people do not require water; others in places where the soil is unfit to take it.

I would note the extent to which the Commissioner's position has been encroached on by the Director of Land

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Records and the Excise Commissioner. The necessity for the continued existence of the former officer is doubtful. The Commissioner could discharge without difficulty his functions as Inspector-General of Registration, while such administrative work as allotting extra naib-tahsildar for mutation work is certainly appropriate to the Commissioner rather than the Director of Land Records. If a senior Revenue Extra-Assistant Commissioner were attached to each division as the Commissioner's assistant for the inspection of *tahsils* and land records, the post of Director of Land Records could be dispensed with and a substantial measure of decentralization secured. Equally, there are a large number of the functions of the Excise Commissioner which belong properly to the Commissioner and should be restored to him.

The Commissioner should have a contract allowance for extra naib-tahsildars and kanungos required temporarily for extra work, especially in connection with fluctuating assessments; and a divisional reserve for contingencies.

At the same time his political position should be much more fully recognized. There seems to be no reason why he should not appoint *darbaris*; and he should certainly have a "political" allotment for entertainment, *khillats* and similar purposes. Such an allotment is given on the frontier. That a Commissioner should have the means of conciliating interests or rewarding loyalty among our own subjects seems of equal, if not even greater, importance.

In order to set the Commissioner free from merely routine work his office establishments, now on an antiquated scale, will need reinforcing.

As regards Deputy Commissioners—

- (1) He should grant *kursi nashin* certificates, and, like the Commissioner, have a political allowance.
- (2) He should have power to effect changes in his superior office establishment without obtaining the Commissioner's sanction.
- (3) The position of the Deputy Commissioner in districts containing canal irrigation is a most anomalous one. On the main canals the assessments of both land revenue and water-rates are made entirely by the Canal Department; there is no appeal to the Collector either under the assessment rules or under the rules regarding failed crops. The native view of this system can be put briefly: we not only farm the revenue, but let the contractor fix the rates. Even if the whole system is not radically altered—and a radical alteration is urgently needed—the rules should provide for an appeal to the Collector. The question is an administrative one of the highest importance; there are in the Punjab over four million acres to which these rules apply, either as regards occupiers' rate only, or as regards to both land and occupiers' rates.

The centralized Court of Wards was created at the instance of the Government of India, and there has been a general feeling expressed in favour of a return to the old system, and the delegation of greater powers to the Commissioner and Deputy Commissioner. The Punjab Court of Wards Act should be recast with this view.

I would give Commissioners (1) direct powers in apportioning Public Works expenditure on roads and communications; (2) a reserve for employing temporary naib-tahsildars and kanungos, especially in tracts where there is fluctuating assessment; (3) a budget allowance for temporary subordinate establishment for special needs (visit of troops, land acquisition, &c.). I would also give a Collector a budget allowance for temporary subordinate establishment for special purposes. The cases in which an appeal to the Local Government is allowed by law are very few, e.g., section 32 of Punjab Municipal Act (XX. of 1891), section 17 of Act VII. of 1878 (Forest Act), section 23 (3) of Act X. of 1904 (Co-operative Credit Societies Act). No alteration seems called for here, nor in the law regarding appeals for mercy. As regards appeals to the Local Government allowed by rules or executive practice, there is not, as far as I am aware, any need for amendment except in the case of appeals from

officials regarding orders affecting them personally. In all other cases the appeal against orders passed is simply in the nature of a petition. There is no need, and no possibility, of curtailing petitions.

As regards appeals on orders affecting officers personally, there is a large class of cases in which appeals and double appeals are admitted at present, and which might well be curtailed. A Deputy Commissioner, for instance, should be allowed to transfer a patwari or fine a chaukidar without an appeal being made to the Commissioner; and it is absurd that a patwari's promotion should form the subject of an appeal from a Commissioner to the Financial Commissioner. I would therefore arrange for all departments a scale of punishments much on the lines of that contained in the draft Police Bill. The order of the controlling officer should be final for (1) the dismissal of inferior servants; (2) minor punishments (including transfer) of superior officials. Superior officers (Non-Gazetted) should be subject to dismissal by Commissioners, Superintending Engineers, and inspectors of schools, and be allowed an appeal to the Financial Commissioner, Chief Engineer and Director, Public Instruction. A system of punishments on these lines is already working successfully in the Police Department. No appeal should be allowed beyond the Local Government in the case of officers appointed by the Local Government itself. A definite grant of authority on these lines would tend to strengthen the position of Controlling Officers in dealing with their establishments, while securing a reasonable measure of consideration for the rights of officials. Some of the existing restrictions on the prosecution of officials (*vide* 197, Code of Criminal Procedure) would be removed; but this would not in itself be objectionable.

The provincial Secretariat is unduly accessible to the influence of Heads of Departments who are *ex-officio* Secretaries. It is perhaps not necessary to quote here instances in which a Head of a Department has unduly influenced—*quid* Secretary—the discussion of current measures. But such cases have existed; they are well known in the province, and have resulted in measures which will need redress by the Local Government. At present the Financial Commissioner is a Head of a Department, but not a Secretary. The two Chief Engineers are Heads of Departments and are Secretaries; the Inspector-General of Police and Director of Public Instruction are Under-Secretaries, but the latter has the right of addressing the Government of India; the Inspector-General of Prisons and Inspector-General of Civil Hospitals have no position in the Secretariat. The position of the Inspector-General of Police is that which seems to secure most efficiently the requisite degree of accessibility and despatch, together with the minimum chance of departmental bias. It is perhaps too late to advocate a change in other departments on the same lines; and all that can be done is to arrange that no new proposal affecting in any way the general administration or general interests shall be mooted by any Head of Department until it has been referred to the Deputy Commissioner and Commissioner concerned; and better defined rules of business, on the lines of those prevailing in the Government of India, for communication of cases between departments in the Secretariat.

The opportunities of Executive Officers for contact with the people are not insufficient, but they might with advantage be increased by (a) relieving the District Officer of office work. To do this we must improve the office establishment—there are few head clerks in the Punjab who can be trusted to draft a letter; (b) substituting, where possible, triennial for annual reports; (c) posting an Assistant Commissioner or good Extra-Assistant Commissioner as personal assistant in each district. It is a part, and an important part, of an executive officer's duties to receive the visit of natives of position. Every house built or hired by Government for an Executive Officer should have a proper waiting-room attached. The sight of a line of respectable gentlemen sitting in a row outside an officer's bathroom is not one to contemplate with complacency. The point is more important than might at first sight appear.

We are gradually breaking up districts of unusual size, and the chief need now is to increase sub-divisions. At present a Deputy Commissioner has to rely too much on his tahsildars. With a reliable English or Native Sub-Divisional Officer in charge of every two

*tahsils*, he would be relieved of much of his work; and the change would lead to quicker despatch of both criminal and revenue business.

No great extension of the present system of selection of officers would be necessary; the revised scale of recruitment is now showing its effects in making a much larger number of senior men available for first appointment to districts. There are some anomalies which prevent a free use being made of selection. The posts of Settlement Officer, Registrar, Co-operative Societies, Director of Agriculture — all pleasant posts, carrying the privilege of a visit to the hills—have allowances, while no Deputy Commissioner as such is given one. Selection would be easier if all grades of the Service were promoted on a time scale (similar to those introduced in the Forest Department) and district posts of exceptional difficulty or inconvenience carried an allowance. If further powers are to be given, the Local Government should also have the power of retiring officers of pensionable service, and also, in extreme instances, officers of proved incapacity before they reach full pensionable service. The principle of article 459, Civil Service Regulations, can be carried too far. This power, if carefully safeguarded, would be exercised so seldom that it would not impair the feeling of independence and security necessary in Administrative and Judicial Services.

The solutions of the difficulties occasioned by too frequent transfers commonly discussed turn on the offer from Government of advantageous terms in order to induce an officer to forego furlough when due. Both the efficacy and the policy of this measure are doubtful, and I would suggest that a minimum period be laid down for all districts, furlough being granted only on medical certificate during the period. Settlement Officers are not, as a rule, granted furlough till the settlement is completed (usually five years), and there is on the face of it no reason why the same procedure should not be followed with District Officers. The grant of allowances for difficult or inconvenient districts would also tend to reduce changes.

No need appears to exist for granting larger statutory powers to District Boards, or extending their present functions. Some alterations in the present District Board Law (XX of 1883) are needed in order to remove unnecessary restrictions. (1) Under section 39 (6) and (7), as the Deputy Commissioner is always Chairman of the Board, a reference to the Commissioner is needed for all expenditure not provided for in the budget. This might be modified. (2) Section 62 (1) requiring his sanction to all contracts between the Board and its servants might also be modified. (3) Section 29 unduly hampers the power of the Board in granting gratuities, and (in connection with articles 811 and 814, Civil Service Regulations) leads to a great deal of correspondence with Government. The restriction of gratuities to cases where the monthly pay is less than Rs 10 is inadvisable, as it often leads to the grant of annuities of an absurdly small amount, and a Board should be left free either to purchase an annuity or to grant a gratuity at its option. The present need in the case of District Boards is not the removal of statutory restrictions, but the cessation of 'regimentation' on account of the claims of Government Departments. So much is demanded on account of the Medical, Educational and Public Works Departments that the Boards have very little left for other work, while their finances have been exploited in the past in the interests of provincial finance. The process began with the levying of a 20 per cent. contribution for general services (section 9 of Act XX of 1883); it was in evidence lately when the Local Government appropriated for one service (feeder roads) half of the annual grant of 6½ lakhs made by the Imperial Government in aid of District Board finances. But the subject is now under discussion, and a beginning has already been made in remedying the situation. The exclusion of the Boards from incorporated funds will allow them a free disposal of their own balances (subject to the prescribed minimum). Their liabilities in respect of plague have lately been strictly defined. The Local Government has decided to waive any contribution on account of the 'Local Fund' establishment in the district office. It is probable that the 'enforceable minimum' expenditure of 12½ per cent. on medical and 25 per cent. on education will be abolished, and the matter left to the discretion of the Boards under

the control of the Commissioner. It is proposed to modify the Education Code in order to give Boards a freer hand in regard to primary education. Much, however, remains to be done. The liability for famine expenditure should be limited in the same way as plague expenditure. The veterinary staff should, like the vaccination staff, eventually be localized. The 20 per cent. contribution paid by district to provincial funds under section 9 of Act XX of 1883 for general services should be abolished as soon as provincial finances permit. (d) All minor contributions such as those for the cost of lunatics at the central asylum and to the pay of (provincial) vaccination inspectors should also be waived as soon as possible. I have already suggested that the Commissioner as the controller of local finances should decide whether dispensaries should be opened or closed; whether subordinate medical establishments should be increased or decreased.

As regards municipalities, the Punjab Municipal Act (XX of 1891) is under revision. Some relaxation of the control of the Commissioner and a revision of section 34 (which is similar to that of the section 29 of the District Boards Act) are necessary, but these points will no doubt be discussed in the Legislative Council. Municipalities have, as Excluded Funds, escaped that close connection with provincial finances which has proved so disadvantageous to District Boards. Many of the remarks made regarding District Boards will, however, apply to municipalities. The contribution for audit has been waived, that for police is about to be waived, and the charge for 'local fund' supervising establishment will probably be waived by the Local Government. The measures of immediate urgency are to give the Boards greater control over their medical and educational budgets by abolishing the 'enforceable minima'; to abolish the minor contributions; to allow them power subject to the order of the Commissioner, regarding the establishment and abolition of schools and dispensaries; to insist on the position that the municipality, subject to the statutory control of the Commissioner, is master of its own finances. At present the tendency of the local audit is to require a reference to Government on a number of questions referring to details of local expenditure for which a resolution of the Committee supported by the orders of the Commissioner should be sufficient authority.

As regards the suggestion to institute Advisory Councils, I am not sure what subjects the advisory bodies would deal with. Local notables have, as a rule, little grasp of the principles of legislation; but when any large scheme (such as the Land Alienation Act) has been under discussion their advice has been sought. For the rest, there are very few points of ordinary administration or executive business on which they would be consulted. The Deputy Commissioner already has in his district board a body which he can, and frequently does, consult on all questions on which discussion is profitable. Finally, there are objections to creating in every district a body which is purely consultative. The native gentleman of ordinary interests and calibre would not care to serve on such a body: its discussions would not interest him, and he would resent being asked as a matter of routine for opinions on questions on which his advice would not necessarily be followed. Much more can be attained by the present practice of consulting individuals with special interests at stake.

Section 211 of the Municipal Act (XX of 1891) provides a simple form of administration of minor municipalities, and the intervention of the District Board does not seem to be called for. On the contrary, the suggestion lately made that several new *mandis* created at the Southern Punjab Railway stations should be managed by the Board was keenly resented by the inhabitants. The *mandis* were accordingly declared to be notified areas.

I have no personal acquaintance with the working of the panchayat system, though I have seen something of the working *jirgas*. The record of attempts to work panchayats for civil work in the Punjab has not been a happy one; the idea has always been welcomed by villagers; but the vitality of the panchayat has been due entirely to strong pressure from the District Officer, and it has collapsed as soon as that pressure was removed. It is doubtful if the system could well exist side by side with regular courts working on rigid rules of evidence and procedure. The Local Government has lately decided to abandon the legislation

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which it had projected for extending to the Punjab as a whole a system of Councils of village elders for dealing with certain forms of crime and for enforcing village responsibility on the lines of the Lower Burma Act III of 1889. There have, however, been cases in which villagers have combined to form a common fund from the proceeds of their waste land. Such instances encourage a hope that *panch* system on simple lines would be able to deal with village sanitation, and to some extent with village education. It is unlikely, however, that it would be able to take the place now occupied by the *lambardars* in police and revenue work. Much, however, might be done by giving minor criminal and revenue powers to selected *zaildars* and *inamdars* and in some cases to *lambardars*.

The discussion of the details of decentralization or delegation may be useful; but there are in the Punjab matters of greater import which demand reform. You will not restore the *Saturnia regna* by allowing the Head of a Department greater freedom in the purchase of stationery or permitting a Deputy Commissioner to buy his own type-writers. Two matters are of special importance. The first is, the restoration to the district administration of powers now improperly attached to Departmental Officers. As already pointed out, over a considerable part of the province the water-rates, and in many cases also the land revenue, are assessed by the Irrigation Department, which is neither by its interests or its instincts properly qualified to discharge the work. The control of the Commissioner over the police has been limited; neither he nor the District Officer have any concern with education or with Public Works. In the second place, it is necessary to exercise a proper control over our establishments. We admit that they grow rich improperly; we listen to the exceedingly bitter cry against them, but we do nothing to remedy the evil. Criminal action is in most cases impossible; the machinery of the Act of 1850 regarding public servants is cumbersome and ineffective. We need a far simpler machinery (possibly a small committee appointed as occasion arises by the Divisional Commissioner) and, most of all, a recognition of the principle advocated by the Police Commission, that evidence of general repute should be sufficient to warrant the condemnation of a Public Servant.

42007. Is the report of the Colonization Committee with your department?—No; it has not been received yet. I think it is still in the press; they are correcting the proofs now.

42008. Will you supply the Commission with a copy?—Yes, certainly.

42009. How many Commissioners are there in the Punjab?—Five. There are 29 districts.

42010. You refer to the powers of the Commissioners which you think should be enlarged. Is one difficulty in the way of enlarging the powers of Commissioners that it would be encroaching on the Financial Commissioner's powers?—Yes.

42011. And that you would have, to use a native proverb, two swords in one sheath?—Yes.

42012. Do not the powers of the Commissioner and the Financial Commissioner rather overlap?—In revenue matters, at all events, they deal with the same subjects, and usually with regard to such matters as remissions and suspensions, the Commissioner has certain definite powers, and the Financial Commissioner final powers.

42013. Both the Commissioner of a division and the Financial Commissioner being men of much the same standing and experience, is there very much difference between them?—No; the Commissioner as a rule has about 25 years' standing, and the Financial Commissioner 30 or 32 years.

42014. What would you say to associating the Financial Commissioner more closely with the provincial Government, giving him power to hear appeals on behalf of Government, and generally to act as an adviser and colleague in important executive matters?—To do that you would first of all have to bring him into a sphere where he has no functions at all at present. The Commissioner has a great deal of work in connection with local bodies, with which at present the Financial Commissioner has nothing to do at all.

42015. That would not necessarily be a disadvantage; is there any reason why those branches should be

excluded from the purview of the Financial Commissioner?—Only that we should be doubling the work which is done, or rather, doing it twice over.

42016. But, accordingly to my suggestion, the Financial Commissioner would reinforce the Lieutenant-Governor, with the result of abolishing him as a distinct step in the series of authorities, and thereby diminishing to a certain extent the circumlocution and delay of official work; have you ever thought about that?—Yes; I have several times thought about the Financial Commissioner having a position of direct approach to the Lieutenant-Governor, so that all important revenue questions, such as settlement and assessment questions, might get straight from the Financial Commissioner to the Lieutenant-Governor, without coming through the Secretariat at all.

42017. That is, in some degree, making him a Secretary to Government?—It would not be quite the same thing as making him formally a Secretary.

42018. Would you approve of transferring the powers of the Financial Commissioner to Commissioners and raising the Financial Commissioner to the position I have indicated?—It would be possible to give a very large number of the revenue powers of the Financial Commissioner to the Commissioners, but I do not at present clearly see the advantage of putting in the Financial Commissioner in charge of any of the subjects on which Commissioners approach Government directly at present.

42019. Is there any distinct advantage in the Financial Commissioner as an intermediary between the Commissioner and Government?—He relieves Government of an enormous body of work in consequence of that.

42020. But why should not the Commissioner do it?—There is no reason at all that I can see, why the Commissioner should not do a great deal of it.

42021. Is a second difficulty in the way of delegating more powers to the Commissioners and bringing them more into the general administration that they are scattered, and it is difficult to co-ordinate them?—That is one thing, and another is that the Commissioner at present has not a definite amount of administrative work to do. He is rather more valuable as an adviser to Government, and is also looked upon by the people as having a good deal more prestige, from the fact that he has no particular measures to carry through himself, but stands, as it were, between the Deputy Commissioner and the Government.

42022. Then his authority is, to some extent, an unknown quantity?—Yes; I think that is rather a valuable element in his position.

42023. Might not the difficulty as to Commissioners being scattered and each in his own division, be obviated by conferences of Commissioners, such as there are in Bengal and the Central Provinces; have you heard of that system?—Yes; I have seen reports of it.

42024. Would you advocate it?—If Commissioners were given much extended power, it would be necessary to have conferences in order to agree on unanimity of action, but at present I do not think it is necessary.

42025. You say that large number of the functions of the Excise Commissioner belong properly to the Commissioner and should be restored to him; can you mention one or two of those?—Yes; such as the question of varying the scale of fixed fees, also the question of accepting bids at auction.

42026. Has a Commissioner much say in the matter of excise now?—As a matter of fact, he has very little indeed to say.

42027. Do you think he ought to have?—Yes.

42028. Would you give him the right to veto any action of the Excise Commissioner, subject to an appeal to Government?—Yes; my idea was that both the Excise Commissioner and the Director of Land Records should be very much more advisory than they are at present to the Commissioner or the Financial Commissioner.

42029. Then you would leave the responsibility of action to the Commissioner?—Yes.

42030. Would that not rather tend to overload him?—He would require assistance, I think, if any of these steps were carried out, though this assistance should be given with caution as there might be some danger that he might create a Secretariat of his own.



42031. Would you leave the Excise Commissioner to carry on his current work, referring all matters that needed discussion to a conference at which the Excise Commissioner should be present, and the joint opinion of the Commissioner should be formulated, and, if necessary, sent up to a higher authority. Would that not bring general influences to bear on excise matters, and at the same time leave the Excise Commissioner practically at liberty to deal with details?—But that would only be a question of principle, and would not apply to procedure in any particular district.

42032. If the Deputy Commissioner disapproved of anything that the Excise Commissioner had done, he would bring it to the notice of the Commissioner, and the Commissioner would put it down among the agenda for the next conference?—I think it would be more satisfactory if a Commissioner had a right to issue orders straight off.

42033. I am supposing that he would have a veto. Would not the difficulty be that you would have five Commissioners to deal with, and those Commissioners might take different views on a question which applied to each of the 29 districts?—Yes; my experience, for instance, of the Sanitary Board is that it is not a body that it is easy to get a definite opinion out of, and I should be rather afraid that a meeting of Commissioners might be an unbusinesslike body in the same way.

42034. Is not the Sanitary Board rather an unattached body, having no particular interests in any particular district?—Quite so.

42035. Would you doubt rather whether the conference plan would work?—Yes, I rather doubt whether it would be a practical body.

42036. It might be suggested that the same course should be adopted with regard to police and educational matters, and in fact all matters of general interest. Would you propose to give Commissioners power of giving direct orders in these other departments?—No.

42037. Are there any other means of bringing the opinions and experience of the Commissioner to bear on these outside departments than by referring questions to a conference?—I think a Commissioner should have a power of veto, with a reference to Government.

42038. Supposing a Commissioner vetoed a thing in his division and another allowed it in his, would there not be a certain amount of disunion?—Yes; but that would be regularised when it came up to Government, and the Government would ask what other Commissioners were doing, what their opinions were, and would pass orders accordingly.

42039. Would that be better than the system of conferences and sending up their united opinion to Government?—On the whole it would lead to getting their opinions in a somewhat better form, and perhaps getting them more quickly.

42040. Do you mean if each Commissioner was left to write for himself?—Yes, I think so.

42041. But that would not result in any combined opinion at all?—I think the proposal to have Commissioners sitting in a body, as proposed, would not work. Government now has the individual opinions before it, and it is as easy to take cognizance of individual as of combined opinions.

42042. After all, do you not consider the chief functions of a Commissioner to be to advise Government as to what orders they should give to the District Officers?—Certainly, but my idea is that they would be secured by letting the Commissioner address Government direct.

42043. But is there not the difficulty that you would have five Commissioners addressing Government, and each giving, perhaps, a different opinion?—Yes; there is that difficulty.

42044. (*Mr. Dutt.*) You say there is a damaging limitation that the Local Government cannot, without further sanction, re-appropriate from savings on a shared head for expenditure on any other head. Are you sure that you are quite correct there?—We had the idea that article 295 of the Civil Account Code forbade that.

42045. Has it not been made clear now that the provincial Government has the same power both with

regard to shared heads and ordinary provincial heads?—It has the same power in passing definite expenditure, but it has not the same power, or my idea was that it had not, of re-appropriation. We have had a case in which we were limited in that way as to making some payments on account of the Forest Department; whether we interpreted it rightly I do not know, but that was the way we did interpret it.

42046. Then you recommend that the Local Government should have power to guarantee interest on light railways, and also on loans by District Boards; will the Government of India ultimately be responsible for all these loans?—Yes. Of course, it might insist on the Local Government making savings in other directions, and that it should meet the liability out of its own resources.

42047. But as a matter of fact, do not all loans granted to local bodies now fall ultimately on the Government of India?—Yes; at present they do.

42048. And you would not object to the Local Government being held responsible for loans which are sanctioned by the Local Government?—No.

42049. You say that no general Act of delegation is sufficient, and you think specific legislation is necessary; is it your opinion that when legal power has to be delegated, it is the right thing to do it by an amending Act and not by executive order under a general Act of delegation?—I have been looking at the Acts again, and I think that there are not so many objections as I thought at first to an Act providing for delegation, as long as it is carefully safeguarded.

42050. We have been told that such a general Act of delegation violates the principles of legislation; do you agree with that opinion?—It might violate the principles of substantive legislation, but a great deal of the legislation which goes on in India is legislation by notification. If one takes the case of the Epidemic Diseases Act, or the Criminal Tribes Act, the Act itself is nothing; the important point is the fact that you notify a particular tribe and bring it under a series of rules which are not defined in the Act itself.

42051. Quite so, but they are rules framed under the Act?—They are rules framed under the Act, but the Act only provides generally that you shall frame rules. For instance, if you consulted the criminal tribes, they would tell you that it was the particular rule which mattered, not the Act.

42052. But supposing a power of imposing a tax is vested by a particular section of an Act in the Supreme Government or the Local Government, and it is desired to delegate that power to the Commissioner or Collector, would it be fair to the people generally to do so by a Gazette notification rather than by bringing in an amending Act?—I was not contemplating going that length; I was only contemplating that the Imperial Government might by notification extend its own powers to the Local Government, but that it should not give powers of delegation to the Local Government itself.

42053. Do you mean legal powers or executive powers?—Powers, for instance, to frame rules.

42054. I am speaking of legal powers which are vested in the Government by a particular Act. If it was desired to delegate those to a Local Government, which do you think would be the better procedure,—to do it by Gazette notification or by an amending Act?—I see no harm in doing it by Gazette notification, provided that due notice is given and the thing is published beforehand.

42055. Do you think that procedure would be generally liked by those people who take an interest in legislation?—I think if they were given due notice of it, and allowed to make their objections to it, there would be no great feeling on the subject.

42056. When any objection was raised, how would it be disposed of,—by a debate in Council, by public deliberation, or how?—If it was a debate in Council, it would come to the same thing all over again; according to my theory, it would be sufficient if it was disposed of by executive orders. I would not, however, apply this to taxation.

42057. And you would not extend it except in a case where the Supreme Government desired to delegate its powers to the Local Government; you would not allow it to be used to delegate the powers of the Local Government to subordinate officers?—No.

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42058. You tell us that Local Governments should be allowed to fix taxation for village police; what tax is now levied for village police?—Taking the chaukidari cess under the Punjab Act IV. of 1872 there is an assessment list prepared by the tahsildar and passed by the Deputy Commissioner which is revised periodically in theory, but it is very seldom revised actually.

42059. Who collects the money?—The *lambaridar*.

42060. How is the chaukidar paid?—By the *lambaridar*; the money does not come into our accounts at all.

42061. Similarly you suggest that Local Governments should be allowed to approve of local taxation; what do you mean by local taxation?—Under section 5 of the District Boards Act there is a District Board cess provided, and, in addition, section 30 of the Act provides that, subject to the orders of the Government of India, the Local Government may sanction local taxation on the part of District Boards; that is what I was referring to.

42062. Would that, generally, be of the nature of a cess on land like the existing cess?—What I was thinking of was, for instance, the sanitation of large villages. At present District Boards cannot collect anything on that account from the villages, and such a tax might be applied in the form of a house-tax in the village. Section 30 of the Act of 1883 does not apply in cases where a local rate cess is taken.

42063. Does it only apply to local taxes in villages for special purposes?—It applies to local taxation for special purposes; the section which refers to the land cess is section 5.

42064. Would you allow the Local Government power to sanction such a tax as that?—I see no harm in that coming up to the Government of India, because it is a very important question.

42065. And it has engaged the attention of the Government of India for some years?—Yes.

42066. So that any tax on land should receive the attention of the Government of India?—Yes. It formed the subject of legislation as lately as 1906.

42067. With regard to Inspector-Generals, and so on, of the different departments other than those on purely technical subjects, have they been practically of use to your provincial Government?—Two of them are entirely new,—the Inspector-General of Excise and the Director, Criminal Investigation.

42068. How long have they been in those appointments?—The Criminal Investigation Department has been in existence three years, and the Excise about a year and a half.

42069. During that period have they been able to help the provincial Government in any way?—I do not think we have seen anything, so far, as a Government, as the Director of Criminal Investigation Department.

42070. Generally do you think that any help they might render should be in the shape of advice and information, and not in the shape of directions or orders to the officers of the provincial Government?—Yes; that is my idea.

42071. You say that a large number of administrative reforms have been initiated by the Government of India, but that a few, with very far-reaching results, have been initiated by the Local Government, and you instance the Land Alienation Act, and, I suppose, the Pre-emption Act?—Yes; and the Minor Canals Bill too.

42072. Are not matters which are brought forward in the shape of reforms sometimes too frequent, while it might be almost better if they were not introduced by Local Governments in such a hurry, and there was not such a restless activity in the Legislative Department?—I think we have passed in our Local Government only four or five Acts which you might say are in the nature of reforms or alterations.

42073. Have the two special Acts I have referred to—the Land Alienation Act and the Pre-emption Act—been universally accepted as moves in the right direction, or is it too early yet to give an opinion?—We have had six years' experience of the Land Alienation Act, but only a year of the Pre-emption Act, and it is on its trial.

42074. But the Alienation Act, you think, has been beneficial and has been accepted as such by all classes?—It has certainly been accepted by agriculturalists.

42075. Of all classes?—Except the very minor portion of the agriculturalists concerned, who are excluded from its benefits. It has achieved its object in stopping sales.

42076. Has it affected the value of holdings?—Yes; immediately after the passing of the Act the sale value of land was Rs. 37, and it has now gone up to Rs. 56 an acre.

42077. Are prices better than they were before the Act was passed?—Yes; they are better here now than they have been for 11 years.

42078. Do you attribute that to the Act itself, or do you trace it to the general rise in values in regard to all things?—I attribute it partly to the Act, because it has put the agriculturalists in a far better position with regard to their floating debt. The mortgage price of land has gone up in the same way, and it is higher than it has been for 13 years.

42079. You say that no appeals against dismissal or other punishment should be forwarded from the servants of a Local Government who are appointed by that Government, or by any local body under it; are Extra-Assistant Commissioners in this province appointed by the Local Government, rising to a pay pay of Rs. 700 or Rs. 800.

42080. Suppose a man in that class was dismissed, would you not allow him an appeal to the Government of India?—No, I do not see any necessity for that, though I know it would be very unpopular to bring in a rule of that nature.

42081. Is it worth while incurring that unpopularity?—I think so; it would tighten the hold of the Government over its employés.

42082. Then, practically, you would allow Extra Assistant Commissioners no appeal at all?—No.

42083. Do you think that would be fair?—I think so. I suppose the members of the Indian Civil Service should have no appeal, if they were dismissed in that way.

42084. But almost all men of every service generally have one or two appeals, and in the case of these officers, according to your scheme, they would have no appeal. Would that be considered a fair rule by the persons affected?—As I say, it would be very unpopular.

42085. Would you be inclined generally to accede to the proposition that all important steps taken within a Commissioner's division by the different departments should be with the assent of the Divisional Commissioner?—In working out that proposition in detail, there are some things which one could not call upon a Commissioner to express an opinion upon—such, for instance, as the transfer of Assistant Surgeons; but any question like the opening or closing of a hospital or school, I should think, certainly could be brought before him.

42086. You would not consider the transfer of an Assistant Surgeon a very important step, but as ordinary routine work concerning the department. In all important matters should the Commissioner be consulted and his assent obtained?—Yes, and I should go further with regard to Public Works. I would give him a distinct divisional budget.

42087. For roads and buildings within his own division?—Yes.

42088. You say that there are instances of canal extensions being made in places where the people do not require water; who has the authority to make those extensions now?—The Superintending Engineer sanctions up to a maximum of up to Rs. 10,000, otherwise it comes up to Government in the Irrigation Department.

42089. Generally speaking, do you think the Commissioner and the Collector ought to have a little more voice in the management of these canal colonies, and especially in the distribution of water?—Not in the technical question of the distribution of water, because that is almost impossible, but certainly with regard to the opening and closing of distributaries and making new distributaries; we should not only do something to prevent water-logging and putting wells out of use,

in places where they should be kept in use, but we should save a great deal of money by allowing Commissioners to have a far greater say in those matters.

42090. (*Mr. Hichens.*) Two theories have been put before us with regard to the Commissioner,—one that he should be a sort of Sub-Governor of his division, and another that he should act more in an advisory capacity; which of those views would you favour?—I am rather against the Sub-Governor view, because I think the province has taken shape as a whole now, and men may have interests in various divisions; and the same tribes extend over various divisions, and if they found they were treated differently in one division from what they were in another, that would be a grievance.

42091. Would you say that the Punjab is not of an unwieldy size for a single Government?—I do not think it is.

42092. Is there any marked divergence in characteristics as between the different parts of the province?—There is a great divergence, for instance, between the Delhi division and the Northern Punjab.

42093. Then, as far as that goes, that would be an argument in favour of the Sub-Governor theory?—Yes.

42094. For example, when you get to Sind, you get almost a different entity, and there would be a strong argument for treating the Commissioner as a Sub-Governor?—Yes, but there is not the same argument in other parts of the Punjab.

42095. Apart from the Delhi division, would the other divisions fall into line?—Yes.

42096. Do you know, roughly, the size of a division?—About 19,500 square miles; there would be about 2,500 villages.

42097. Do the divisions correspond to any tangible unit, whether historical, or physical, or otherwise, or are they purely administrative units?—They are purely administrative units, I think, apart from Delhi.

42098. Are they framed more from the point of view of convenience of size, and so on, than from the point of view of securing a homogeneous population, or reasons of that nature?—Yes.

42099. Therefore, from that point of view, there is little or no reason why the administration of the province should not be uniform?—No.

42100. I did not quite understand your point of view with regard to the relations between the Commissioner and the technical departments, such as the Public Works Departments, and so on. Now-a-days the tendency of all Governments is to have special departments for certain things; would your position be that the Commissioner is to control those departments in relation to each separate division, or that he should merely act in an advisory capacity?—If I take the Public Works Department, for example, at present, the Commissioner has absolutely no position with regard to it at all, and my proposal would be that he should have for roads and communications a distinct budget every year, and that the Superintending Engineer, under his orders, should prepare schemes, for instance, of communications which were wanted, and that the Commissioner himself should sanction them.

42101. When you say the Commissioner has no control, has he not power to write to the Secretary of the Public Works Department, if he chooses, and to write to the Lieutenant-Governor, if he chooses, and all the influence which the position of a Commissioner brings?—Yes.

42102. And if he were to say, with all the force of that influence, that in his opinion the Superintending Engineer of his division had made a mistake, his opinion would certainly receive substantial consideration?—It would.

42103. Then the Commissioner can exercise a substantial influence?—He might be said to have some influence, but he has no control.

42104. You think he has not a voice in the Public Works programme of his division?—No; he does not see the programme at present; a work might even be begun without his knowing it; the order of urgency, which is the important thing, might be completely

altered without any question being put to him by the Secretary in the Public Works Department.

42105. Could that be done without the sanction of the Lieutenant-Governor?—At present, yes; it is done. There is no definite order of urgency for these works; the works receive administrative sanction, a Public Works budget is given to the Public Works Department, and they do the allotment themselves.

42106. Then would you be prepared to give to the Commissioner certain powers of direction?—Administrative direction.

42107. Would you give him power to say—"Do this work before that work," in spite of any objections there might be on the part of the Public Works Department?—Yes; if there were strong technical objections, they would have to come up to Government, but in the absence of technical objections, according to my scheme, he would be allowed to give administrative sanction and set the order of urgency.

42108. He would be a better judge as to whether it was desirable to do work A or work B first than the Public Works authorities would be?—Infinitely better, because he knows the local needs of the people.

42109. Better than the Engineer?—Yes. I know of a particular case in which two Commissioners were over-ridden by the Public Works Department, who insisted on making a road they did not want.

42110. What was the upshot of it?—So far, for financial reasons, the road has been deferred, but those were the orders issued.

42111. The orders were that the works which the Public Works Department wanted made should be made?—Yes; it was a question of metalling a road.

42112. I suppose they produced statistics and so forth to show what the traffic was?—It was done for reasons which did not commend themselves to the Commissioners or the Deputy Commissioners concerned.

42113. But which commended themselves to the Government?—Yes.

42114. And you think that was wrong?—I think so; and I think events will prove it to be wrong too.

42115. With regard to the relations between the Government of India and the provincial Governments, you seem to lay great stress on the desirability of greater freedom in the matter of re-appropriation. You say, as I understand, that it would be a substantial advantage if you had no shared heads, because that would augment your power to re-appropriate considerably?—Yes.

42116. How much does the shared expenditure amount to?—About 6½ lakhs excluding the major works item.

42117. That will not help you greatly in your re-appropriation schemes?—It would help us in this way, that the budget would be practically an independent one, because if there were no shared heads, the Government of India would have less reason to interfere with any of our budget provision.

42118. The first point is that 6½ lakhs is rather an insignificant sum?—That is so.

42119. The second point that you appear to aim at so much elasticity that the budget can be altered from top to toe by the Government after it has once been passed?—Yes.

42120. Can you parallel that anywhere in the world; is there any Government which has the power of upsetting the budget from top to toe without the sanction of somebody—it may be a Legislature or it may be a superior authority of some kind; but has any Government got such a power as that?—I think the Federated Governments have that power.

42121. Have not the Federated Governments got Legislatures of their own?—Yes, but in India, budgets are not put before the Legislatures.

42122. Having no control from below in regard to your budget, is it not desirable that you should have some control from above?—I would only admit that if it was admitted that it was desirable that our budgets as a whole should come before the Legislature; as it is, they come under executive control.

42123. Can you find any Government in the world where the budget is not controlled either from above or from below?—No, I do not know of any.

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42124. Is it wise to adopt a principle of that sort, even in regard to India, unless you can show very substantial reasons why the conditions are different here to what they are elsewhere?—There would be no reason why one should not adopt it here, because in the first place the exact amounts that have to be spent on any particular object are subject to financial control,—additions to establishment, and so on. In the second place, we have the minimum balance; that is another measure of control. In the third place, a part of my proposal was that we should have some standard between recurring and non-recurring expenditure.

42125. That would be enough justification you think?—I think so.

42126. Are you not asking that this financial control should be relaxed in very substantial particulars?—Not entirely withdrawn, but relaxed.

42127. Very substantially relaxed?—Yes, but not the minimum, and not the question of recurring and non-recurring expenditure.

42128. Would you not relax that at all?—No; I would fix a standard of recurring and non-recurring expenditure.

42129. It is not possibly desirable to retain a broad control over principles rather than to retain a narrow control over details?—Certainly.

42130. Therefore it is conceivable that it might be desirable that the general control of the budget should under existing circumstances—that is to say, unless and until the Legislatures get some wider powers—remain under the general control of the Government of India, but that the details of execution should be left more to the Local Governments?—Yes.

42131. In regard to that, do you think it would be a sound principle to substitute the words "subject to the control of the Government of India" for the words "with the previous sanction of the Government of India," in regard to many of the rules and regulations which to-day require the previous sanction of the Government of India?—Yes, except in regard to taxation.

42132. The general principle of the relations between the two being that the Government of India lays down the principles and the provincial Governments are responsible for carrying them out?—Yes.

42133. The details of course are really only the expression of the principle, but the Local Government would be trusted to carry out the principles in the spirit in which it was intended; would that be reasonable?—Yes.

42134. All you would want really in that case would be that the Government of India should hold a watching brief and see that the spirit of the thing was generally carried out; would that be sound?—Yes, that would be reasonable.

42135. If a particular instance came up where the Local Government had infringed the law—let us say, for the sake of example, that they had given a local allowance which appeared to the Government of India to be either excessive or out of place—the Government of India would not seize upon that particular case and reverse it, but they would apply the general principle to it, and they would have to make out a case that the general principle had been infringed?—I think that would answer.

42136. Is it the case that more bitterness and bickering ensues over the discussion of a small case than over the discussion of a general principle?—Yes; I have a particular case in point with regard to the Police Department which certainly proves that.

42137. Therefore if you could avoid disputes over particular and petty cases and save the discussion for broad matters of principle, it might improve the relations between the Government of India and provincial Governments substantially?—Yes.

42138. (Mr. Meyer.) Do you think it would be easy to draw a broad line between principle and detail in that way?—I should think it would be difficult, but I fancy it could be done.

42139. You can whittle away a general rule by the application of exceptions for instance?—You can, if you are disposed to do so. I do not suppose that the Local Government, in view of the principle, would be disposed to whittle it away.

42140. Might you not have so many detailed exceptions that you would wipe away the rule entirely?—I do not think that is the case where Local Governments have been given any discretion already.

42141. In the case put to you by Mr. Hichens, I understand you might give a conveyance allowance to Mr. Smith. The Government of India would say—"We will not interfere in the case of Mr. Smith, but you must not give any more conveyance allowances of that sort"; would not that be just as likely to lead to bickering as a previous application for sanction in the case of Mr. Smith?—I do not think so; I do not think that the relations with the Central Government can be said to involve bickering; we sometimes feel that we are hampered in various ways, but there is no bickering.

42142. Then you would rather qualify your answer to Mr. Hichens when you said there was no bickering about details; there is just a certain amount of correspondence?—It hampers public business to some extent.

42143. You seem to think that it is only necessary for the Government of India to scrutinise the provincial estimates of receipts and expenditure under divided heads?—No; I am aware that it scrutinises them under all heads.

42144. But you think it is only necessary in the case of divided heads, because you imply that if you could do away with the divided heads, you could do away with the Government of India budget control to a large extent?—I do not object to a scrutiny made with a view to secure the correctness of the budget, but to a scrutiny made from the point of view of control.

42145. With regard to the imperial budget, is it not also necessary to scrutinise purely provincial heads; is not the imperial surplus affected to the extent to which the Local Governments are either drawing on their balances or passing money from their current revenues into balance?—Certainly.

42146. And it is the business of the Government of India, for the purpose of ascertaining the imperial surplus, and possibly dealing with the remission of taxation, to get the figures as accurately as possible?—Certainly.

42147. Therefore from the point of view of accurate estimating you have got to look at the purely provincial heads?—Yes.

42148. Then you propose, in place of the present system of divided heads, a lump contribution based on the aggregate provincial receipts; would not that mean different percentages for each province?—I did not attach any importance to the question whether you have your contribution in gross or in detail; that is not important from the provincial point of view. We have a number of shared heads of income at present, but I do not think it makes any difference to us whether they go to the Government of India in gross or in detail.

42149. One object of your proposal, I thought, was that you could avoid the control of the Government of India in budget matters by having contributions in gross?—No; my proposal referred to the abolition of shared heads of expenditure, not of income.

42150. Suppose you had a gross percentage, would not the Government of India have to check your figures just the same to see if they accepted the calculations on which the percentage was based?—Yes.

42151. So that you would not really gain anything; you cannot check figures in a lump without checking them under the various heads?—You would not gain anything by a gross percentage, but I was not proposing that; I was proposing to accept, if necessary, the present system of shared heads of income.

42152. I did not gather that from your statement. Do you think that the shared heads are the best on the whole?—The shared heads of income, not of expenditure.

42153. You say you are in favour of distributing a surplus for the general benefit of provincial revenues instead of for particular objects. How are you going to calculate the way in which these doles are to be given?—I suppose they might be calculated in proportion to the income of the provinces; it would be a rule-of-thumb method.

42154. It would then be calculated on the principle of "To him that hath shall be given"?—The richer provinces have larger services to meet.

42155. Not necessarily. Take a backward province like the Central Provinces; its proportion of expenditure is considerably larger than the expenditure of Madras or Bombay, for instance?—I should be quite content to leave to the Government of India what share they would give us.

42156. Then again might not the Government of India legitimately think it to be a matter of political necessity, say, to increase the efficiency and emoluments of the police?—Yes; that has happened in some cases, but in that particular case we ourselves had applied to the Government of India for power to increase the emoluments of the police.

42157. As regards this police matter, you complain of the detailed interference of the Government of India. Did not the Government of India acted on the recommendations of the Police Commission?—Yes.

42158. And the Police Commission contained a member from the Punjab?—Yes.

42159. It discussed all its proposals in detail with the Local Government?—Yes.

42160. And after the Police Commission's report was issued the Local Government was again consulted and asked whether it had anything to say against the proposals?—Yes.

42161. So that really the Government of India took you very much into counsel—it did not over-ride you?—It has over-riden us in matters of detail.

42162. Then you departed from what was laid down in the report of the Commission?—The Commission laid down wide general principles; in some cases it was necessary for the working of the police force to depart from these principles, but we have not been allowed to do so.

42163. As a matter of fact, have you now got the establishments that you required,—of course nobody gets everything they want,—but, speaking generally, have you got most of what you wanted?—Yes, the establishment certainly.

42164. Are about one-third of the aggregate members of your District Boards elected?—You have to strike off first 12 District Boards which have no election at all; they have purely nomination.

42165. That leaves 17, or so?—Yes, and in those 17 two-thirds of the members are elected, and one-third appointed.

42166. How are members elected?—First of all circles are fixed which usually consist of either one or two or three *zails*; the qualification of voters varies from a payment of two to four rupees for local cess, or a man must be a *lambardar*.

42167. Are the constituencies large generally, I mean as regards the number of voters?—No.

42168. Do the elections excite interest?—The general complaint for a number of years has been that they have excited no interest at all.

42169. In certain municipalities do you not depart from the ward system and have a class system; the Sikhs have so many members and Muhammadans so many, and so on?—Yes.

42170. How many municipalities does that apply to?—Ten.

42171. Are those, generally speaking, the ten most important in the province?—No; it only applies to three important municipalities,—Lahore, Multan and Amritsar.

42172. When was it introduced?—It is of very old standing in Multan. We have just applied it to six minor municipalities which will bring the number up to 16.

42173. When was it introduced in Lahore?—In 1891.

42174. Should you say that the system works better than that of territorial constituencies?—It all depends upon the strength of local feeling, I fancy. There is rather a tendency lately to send up suggestions for increasing class representation. We receive a number of petitions on the subject from people now; Muhammadans, for instance, complain that they are not properly represented on the Municipal Boards.

42175. Do you think it is a good system?—Certainly.

42176. To every Deputy Commissioner *ex-officio* Chairman of the District Board?—The Act leaves it optional with the Local Government either to appoint a Chairman or to allow the Board to elect him.

42177. Which have they done?—In 12 instances the District Board rules provide that the Deputy Commissioner is *ex-officio* Chairman.

42178. Are these the 12 in which there are no elected members?—No, they are a different 12; then in the rest the rules either do not mention the point at all or the Chairman has been appointed *ex-officio* by the Local Government directly under the Act.

42179. So that in practice he is appointed because he is Deputy Commissioner?—Yes, either by the Government directly or by the Boards themselves.

42180. Are the Vice-Chairmen always elected?—Yes, always elected.

42181. Are they mostly officials or non-officials?—The cases do not come up to Government; they are not notified, but there are a large number of them who are non-officials.

42182. You do not notify the appointment of Vice-Chairman?—No.

42183. Do you notify the appointment of members of the District Board?—Yes.

42184. Is not the Vice-Chairman rather more important than a mere member?—He is notified as a member and then elected Vice-Chairman.

42185. Is he approved by the Commissioner, or does he become Vice-Chairman as soon as he is elected?—As soon as he is elected.

42186. Is it the fact that the Deputy Commissioner is the President of all headquarters municipalities?—He is President of seven first-class municipalities and of 29 second-class municipalities, of which 20 are at headquarters.

42187. And ordinarily the out-lying municipality is presided over by whom?—In 29 cases it is presided over by non-official Presidents; in six cases by officials who are elected by name and not by office, and in other cases by officials who are appointed by office.

42188. The tahsildar, as such, would usually preside?—Yes.

42189. You have got first and second class municipalities, and first and second class District Boards. We had it from another witness that there was some distinction between them as to the cost of works in regard to which they have to obtain sanction; is there any other material distinction?—The only distinction in the case of District Boards is in the matter of works for which they have to obtain sanction; in the municipalities there are distinctions of works, and there are distinctions in regard to powers under the Act too. In second class municipalities the Local Government can hand over certain of its own powers to the Commissioner; that is to say, the Commissioner notifies the appointment of members instead of the Local Government. In second class municipalities, again, certain appeals lie to the Deputy Commissioner instead of to the Commissioner. Again, first class municipalities can compound for offences against the Act.

42190. Does the Commissioner pass all the municipal budgets?—This is not necessary under the Act, but by the Municipal Account Code, which has been introduced lately, he now passes all the budgets.

42191. Do they go up to Government beyond him?—Government gets a memorandum from the Accountant-General showing the budgets when passed, and also gets the budgets of indebted municipalities.

42192. Those that are indebted to Government?—Yes.

42193. Take the Lahore municipality, the Commissioner passes the budget and sends it on to the Government merely for information?—That is so.

42194. With regard to reports does each municipality send an administration report?—Yes; the Deputy Commissioner sends in all the reports for the municipalities of his district, and they are collected in a divisional report by the Commissioner and sent on to the Government.

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42195. The Commissioner does not review the report of the Lahore municipality singly, but he would review the reports of all the municipalities in the division, including Lahore?—Yes.

42196. There are sanctions now required to re-appropriations to and appropriations from balance which you desire to get rid of?—Yes, the Municipal Account Code provides that Commissioners must sanction re-appropriations; we want to get rid of that.

42197. As regards the power of municipalities to create appointments, are they subject to any restriction outside general budget control?—There is no provision about it in the Act, but we have made regulations at various times on the subject. For instance, with regard to the appointment of engineers; for engineers they must have certain departmental sanction, that of the Sanitary Engineer or the Superintending Engineer, according to the pay.

42198. Take their ordinary clerical establishment and their octroi collectors?—Government has not laid down any rules about that at all, but the Commissioners have laid down in three divisions that any increase of establishment must be sanctioned by them.

42199. That is to say, the Commissioner has centralized?—Yes.

42200. Any appeal from a municipal servant who thinks he has been aggrieved by the municipality would go to the Commissioner?—The Government rules provide that no person drawing over Rs. 50 in a first class municipality, or Rs. 20 in a second, shall be degraded without the consent of the Deputy Commissioner. The appeal goes, as a matter of practice, to the Commissioner.

42201. You do not put it, as they do in Madras, before the collective Municipal Board?—No.

42202. Would that be a good thing?—The Act does not provide for it at all; it does not mention appeals.

42203. But as a matter of policy, would it not choke off these appeals to outside authorities if the original power of punishment rested with the Chairman and there was an appeal from him to the collective Board?—Where you have the Deputy Commissioner as Chairman it would come to this; first of all he would dismiss a man, then the man's appeal would come before the Board, and if the Board accepted his appeal, it would weaken the authority of the Deputy Commissioner a good deal.

42204. More than if the Commissioner upset him?—I fancy so.

42205. What are you doing now with the quarter grant on the Land Cess given by the Government of India?—We have distributed it to District Boards in this way; we have given them 3 lakhs of rupees for making what are known as first class feeder roads, and we contribute another 3 lakhs as against that ourselves.

42206. Do you select the roads or do they?—They send us up a list of roads, which we sanction.

42207. It did not really amount to your relieving provincial expenditure by saying "We are going to make these roads and the District Boards shall pay for them"?—Some of these roads we should have made ourselves, undoubtedly, but then, on the other hand, we are contributing an equal amount, 3 lakhs.

42208. You would have had to pay the whole if you had made the roads provincial?—Yes, but we should not have made the whole of them.

42209. What are you doing with the rest of the grant?—We have given 1½ lakhs for veterinary establishment, one lakh for hospital establishment, and the rest for arboriculture.

42210. As regards the veterinary establishment, there is no real control by the Boards?—Over the part of the expenditure represented by the grant now made they have control; the Veterinary Service is provincial; we pay the establishment charges; they pay for contingency charges, hospitals, medicine, and so on.

42211. What was the grant spent upon?—On hospitals and dispensaries, also in buying stallions and bulls.

42212. The original intention was that in time the grant on the Land Cess should become a *pro rata* contribution, that each Board should get 25 per cent.

of the Land Cess it levied; is there any chance of your working to that? You dole these things out now entirely at your own discretion?—The arrangement described only lasts for five years; at the end of the five years we shall no doubt make it a *pro rata* arrangement.

42213. About these District Boards; is the general control over them, the matter of budgets, appointments, re-appropriations and the rest, the same as in the case of municipalities?—There is a statutory control of the Commissioner in the case of District Boards; that is to say, the Act provides that the budget shall first of all be passed by the Deputy Commissioner, or, if he is a member of the Board, by the Commissioner.

42214. And in the Municipal Act?—That is silent on the subject entirely.

42215. So far as the Municipal Act goes, there might be no control at all?—That is so, except that the Act provides for the general control of the Commissioner.

42216. You are revising your Municipal Act now?—Yes.

42217. Are you altering that?—No.

42218. As regards first and second class District Boards, is there any material distinction except in the matter of works?—No, none at all; it might be swept away.

42219. You have made some interesting remarks about what you consider the defects in the local self-government scheme and the extent to which they may be remedied. Generally, I gather you are in sympathy with the principle that the authority that pays ought to control?—Yes.

42220. One may say, generally, that that principle has been subject to absolute negation, in practice, in this province?—Yes.

42221. In fact, it would not be going too far to say that the whole policy of the Punjab towards local bodies has been absolutely contrary to the spirit of Lord Ripon's Local Self-Government Resolutions?—Owing to financial stress we were obliged to make arrangements about the local bodies which perhaps we should not have made otherwise.

42222. These restrictions that you introduced were not due to the Government of India?—No.

42223. You speak elsewhere of the desirability of leaving the provincial Government more to their own devices; might it not have been better in this case if the Government of India had interfered with you a little more, and prevented you from doing these things which you now regard as objectionable?—If they had provided us with the money, it would have been well, but we could not have done it otherwise. Directly a chance occurred, such as taking over the veterinary establishment, we took it; that had always been regarded as a District Board charge, but we ourselves now pay for that, at a cost of about 1½ lakhs.

42224. Formerly you gave them the expenditure, but you kept the control; that was your principle here?—No; we have taken now both the expenditure and the control of the establishment.

42225. But previously?—Previously, that was so.

42226. When did this wave of reform begin that you are now on the crest of, apparently?—About 2½ years ago.

42227. To whom was it due?—I cannot say; I think it originated, perhaps as much as anywhere, in the Secretariat.

42228. Not with the late Sir Denzil Ibbetson?—No; it originated before he came, but was approved of by him.

42229. You say the Punjab would rather have had a grant from the Imperial Government to enable it to get quit of the 20 per cent. it takes from the Land Cess than have had money for the spread of education: did the Punjab Government ever ask for that?—No; the Punjab Government was informed that 3 lakhs was placed at its disposal for education and it simply took it.

42230. You are aware that all such budget proposals are communicated confidentially to the Lieutenant-Governors, and that they offer suggestions?—Yes.



42231. Are you aware that any Lieutenant-Governor of the Punjab suggested doing away with this contribution from the Land Cess?—No; in this particular instance, it had been communicated as a matter of policy that primary education was to be encouraged, and this course was consequently adopted.

42232. On the other hand, was there not a tendency to resent the repeal of the Famine and Patwari Cesses?—No; what we asked for was that the fact should be recognised that the expenditure against the Patwari Cess was continually increasing; we asked that the Imperial Government should recognize an increasing liability instead of a fixed liability.

42233. You want full compensation for future as well as present liability; suppose you got that, would it not have to be met by the Government of India, that is to say, by the tax-payers of India?—Certainly.

42234. And, in the same way, Bombay, Madras, Bengal, and all the other provinces would get compensation from the Government of India, again at the expense of the tax-payers of India?—Yes.

42235. Would it not rather come to the classic instance of the people who earned their living by taking in each other's washing?—After all, the Government of India was relieving a particular body of tax-payers in the Punjab of a certain cess, and we did not exactly see why they should be relieved of that cess at what, in the future, would be the expense of the general tax-payer in the Punjab.

42236. You could say the same with regard to the reduction of income-tax or anything else?—We are not concerned there; there would be no expenditure incurred against income-tax, as there would be against the Patwari Cess.

42237. Who controls the notified areas?—They have an appointed committee.

42238. Who controls the proceedings, the Deputy Commissioner or the Commissioner?—They are under exactly the same rules as apply to the municipality.

42239. To all intents and purposes they are second-class municipalities?—Yes, but with minor powers.

42240. When did your latest provincial contract begin to run?—1904-05.

42241. (*Sir Steyning Edgerley.*) So that, having at last got a liberal contract, you were enabled to undertake these reforms in your relations to local bodies?—We have been able to contemplate them.

42242. The previous inability of the Local Government to do so was possibly due to the quinquennial assessment under the old system of provincial contract?—I think so.

42243. So that the whole responsibility is not entirely on the Local Government for failure to treat the Local Boards in a more liberal manner?—No, if we had been able to do it, there are several changes we should have pressed on before.

42244. As to the suggestion that Local Governments by continual exceptions might whittle away a rule, is that not the course which is invariably followed in reaching alterations of law by the result of experience?—Yes.

42245. As the local instances begin to prove that a rule needs modification, you proceed to the modification of the rule?—Yes.

42246. So that there is nothing extraordinary in exceptions being gradually made which will alter the whole rule?—No.

42247. Then you say, so far as regards the fixed assignment, "This result is apparently inevitable under the system." I do not quite understand why that is so. Your fixed assignment has reached apparently about 58½ lakhs, and it would be perfectly simple, provided an arrangement could be come to, to entirely provincialize the revenue and expenditure under excise, stamps, and forests and assessed taxes, and thereby reduce your fixed assignment to about 5 or 6 lakhs?—Yes, that would mean doing away with the shared head expenditure.

42248. Is that not what must happen from time to time as the fixed assignments grow too big?—Yes.

42249. As regards the question of doles, you say that you think the Local Government ought to be allowed to choose their own reform. I have heard it

given as an argument against that view that the Financial Department, face-to-face with the big spending departments of the Government of India, if they only were to give a general sum to the Local Governments, would be too feeble to resist the onslaught of, say, the Military Department or any big spending department. Do you think much weight ought to be attached to an argument of that sort?—I think it is difficult to tell; I do not see why the Military Department should not be equally insistent now when it comes to a question of giving money for sanitation.

42250. The suggestion is that unless the Finance Department are able to name some specific purposes the Military Department would rise in its wrath, and the Finance Department of the Government of India would go to the wall; is that likely?—I should not think it is likely.

42251. You quote a large number of instances as examples of a somewhat numerous class of questions where the Government of India have in your view gone too much into detail. Should you be inclined to agree with the following remarks of Sir Thomas Gordon Walker: "Each important step in the process of specializing has almost without exception meant that the Central Government has taken the end of one more string out of the hands of the Local Government. The particular branch of administration is controlled not from a local centre, but from the centre of all. For this reason it is that we have the enormous development of departments, and special branches in the Central Government for such development has meant control from the centre and presumably greater efficiency, but it also means centralization and reduction of the powers and responsibility of the Local Governments?"—Yes, on the whole certainly.

42252. May one almost say that in spite of this latest notable effort at decentralization by the Government of India, in the quasi-permanent financial settlements, the tendency of the Government of India has been rather towards the steady absorption of authority?—I fancy it has been so on the whole.

42253. With reference to your answers to Mr. Dutt with regard to the delegation Act, you mention a certain number of proposals necessitating the amendment of the statutory law. Assuming that you had a properly guarded delegation Act in force, do you see any reason why any one of those powers should not be given by the Local Government to the subordinate authority suggested by a notification under the Act, instead of by special legislation?—Take for instance the second one—I would exclude that. I do not see any other that could not be perfectly well given to the Commissioner by notification under such an Act.

42254. Then, except for that one, there would be no necessity to go through the enormous procedure of legislation, which means going up to the different Executive Departments of the Government of India, then to the Legislative Department, and then to the Secretary of State, and awaiting his sanction to a Bill in order to carry out those proposals?—Yes, but the best to which you have referred only contains proposals for giving over to the Financial Commissioner the authority at present enjoyed by the Local Government in a certain definite number of matters.

42255. But if you had a general delegation Act in force, there is no reason in the nature of the things themselves why you should employ the enormous engine of separate legislation to do each of these particular things?—No.

42256. Is not the Punjab Government rather peculiar for the number of "quick-change artistes" it possesses?—I do not know what it is in other Local Governments, but I think it has been felt in ours.

42257. The only "quick-change artiste" in most Governments is the Public Works Secretary and Chief Engineer?—Yes.

42258. Would you be in favour of swinging the present rule entirely round and saying that the procedure and precedent of a neighbouring province shall not be quoted as an argument in favour of a case in this province—that you should stand on your own feet and make out your case on your own merits?—Yes, but I think that examples drawn as illustrations from other provinces often are of the greatest assistance.

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42259. But the general rule might be that you should be judged on your own merits and not on what has been found suitable elsewhere?—Yes, I think so.

42260. You instance the case of the police as one where there has been a tendency to undermine the authority of the Local Government; you consider that if the Government of India requires information or facts for the purposes of control or correspondence with the Secretary of State, they should get them from the Local Government and not from their own Inspector-General?—Certainly.

42261. Is that a fundamental matter?—Yes.

42262. It was suggested to us by a previous witness that one means of keeping the Commissioner in his relative position to the other Heads of Departments would be that he should be the financial sanctioning authority; would you agree with that suggestion?—Only as regards Civil Works.

42263. Not as regards the other Departments, like the Land Revenue for instance?—Land Revenue is an enormous head of expenditure, and the expenditure is mainly by way of establishment.

42264. Excise or Agriculture or Land Records?—There would be no harm perhaps as regards those, but Civil Works is the one I would lay most stress on.

42265. Assuming that you enhanced the Commissioner's position as you suggest, you would be prepared to give a very much stronger office establishment to the Commissioner?—Yes.

42266. And I suppose a high-class personal assistant?—Yes.

42267. Whether the pick of the Extra-Assistant Commissioners or a European—would you have any preference?—I think the danger of giving them a European Assistant Commissioner would be that the latter would be inclined to trouble the Deputy Commissioners too much.

42268. Your preference would be for a good native assistant?—Yes.

42269. On a pay of something like Rs. 1,000 a month?—The highest of our provincial appointments is Rs. 800 or Rs. 900.

42270. Ought it to be a prize appointment, or would you take an ordinary selected Extra-Assistant Commissioner?—I should take a selected assistant out of the higher grades.

42271. You have been a Colonization Officer for some years; what do you consider is the proper relation between the Executive Engineer and the Deputy Commissioner?—The Executive Engineer must be independent in technical matters.

42272. Do you think he might be an *ex-officio* assistant to the Collector in the matter of assessments and remission?—No. I think the question of assessments and remissions ought to be in the hands of the Deputy Commissioner.

42273. We are told that there is nobody like the Executive Engineer for knowledge of what is going on in the canal district, of the causes to which remission is due, and of the factors on which to assess for water, and so forth; you do not think you would give the Deputy Commissioner sufficient control over his proceedings by making him the Executive Engineer an *ex-officio* Assistant Collector?—No; I do not think the Collector would have sufficient control that way.

42274. If you could give the Deputy Commissioner complete control, would it be a good thing that one establishment should do the collection of revenue as well as assessment?—Undoubtedly; the double establishment at present means that people have to pay twice.

42275. Is any solution possible in the direction of making one establishment on a major canal?—I think it could be worked out on those lines without any great difficulty.

42276. With control by the Deputy Commissioner?—With control of assessments.

42277. Of assessments and collections and remissions?—Yes.

42278. As to the Court of Wards, you say there is a general feeling in favour of a return to the old system;

is there any power of delegation reserved under the Act? For instance, in the Madras Act there is a section by which the Court of Wards can delegate any of its powers to anybody?—Our Act provides for delegation with the previous sanction of Government.

42279. Could the position which you think would be reasonable be reached by a process of delegation without amending the Act; that is to say, is it the Court of Wards itself which has centralized, or does the Act compel it to centralize?—I think the Act compels it to centralize; it practically took all the executive rules of a number of years and merged them into a statute.

42280. If you had a general Act of delegation, you could do it gradually as occasion arose?—Quite so.

42281. You say you think the provincial Secretariat is unduly accessible to the Heads of Departments, and you say there are cases which are well known in the province. Can you illustrate that?—I was quoting the case just now of a road, a case in which two Commissioners both came up to Government, and they were overruled by the Public Works Department. I can quote also another case in regard to education, in which the Commissioner was obliged to apply to Government separately in the Civil Department, because he did not know whether he was being addressed by the Under-Secretary for Education or by the Director of Public Instruction. Cases of this nature create a very uneasy feeling in the province.

42282. Why do you think it is too late to make a change?—I should like to see the change made myself, only I doubt whether Government would do it.

42283. Is there any use in a Royal Commission sitting on decentralization if you cannot make changes?—No, obviously; of course, if the Commissioners take the point up, the change will be made.

42284. You think the reform must come from without and not from within?—This one undoubtedly, I think.

42285. It was suggested to us in the North-West Frontier Province that you did not obtain proportionate relief by breaking up districts; that the reports all still went on: the two districts each had just as many reports to submit and detail to work up as the original one district, and that as a matter of fact it was a rather ineffective remedy, and that a better remedy was a personal assistant and an improvement in establishment within the district. What have you to say to that?—At present in the two districts that I am thinking of it is really impossible for the Deputy Commissioner to control the work on account of the large number of villages.

42286. You think you must sub-divide, in certain cases at any rate?—Yes, particularly in a case where you have a very large city.

42287. You do not believe in carrying it as far as some witnesses have advocated, who wished to get down to a one-man district where the Deputy Commissioner could do everything?—No.

42288. You are in favour of the principle of selection for appointments being more strongly insisted upon?—Yes, certainly.

42289. And along with that you would also give greater power to the Local Governments of removal of officers who are either worn out or unfit?—I do not think you can insist on the principle of selection unless you give that power.

42290. Would it not also lead to a system of proportionate pensions for all Services?—Yes.

42291. As regards the Indian Civil Service itself, do you think that this system of proportionate pensions would affect recruitment?—I think not.

42292. If it did, do you think they could meet the danger sufficiently by any increase of pensions to officers who succeeded?—Yes, I should say that if you increased the pensions of men over 30 years' standing, for instance, that would work well.

42293. That would meet any possible objection?—It would more than meet it, I think.

42294. As to the question of inconvenience arising from the grant of leave, a suggestion made to us has been that every officer should have a leave ledger, and that the whole of what is due to him should be

written up and he should take it just as he pleases, provided that the Local Government are prepared to sanction it and to say "You may go." Do you think that that would be a relaxation or simplification?—I am not quite clear what would happen if the Local Government said he should not go.

42295. He would remain on duty, subject to medical certificate?—They would not compensate him for missing his turn.

42296. They do not do that at present?—Then I do not quite see where the advantage would be.

42297. The advantage it is suggested would be this: at present if an officer goes on privilege leave; he has to remain 18 months before he can go on furlough, and he can only take privilege leave up to 3 months. In the scheme suggested, he would have absolute freedom; if he had 8 months' privilege leave to his credit, he could take it, if the Local Government chose to let him go. It would be simply a leave ledger and the whole criteria would be whether he had leave due to him, and whether the Local Government thought the exigencies of the service allowed him to take it?—I should prefer some definite rule such as we have with Settlement Officers; the term of settlement is always 4 or 4½ years, and it is always understood that a Settlement Officer should not go on leave during the term of the settlement.

42298. In such a case Government would refuse leave till the settlement was over. However you have not thought about the suggestion?—No.

42299. (*Sir Frederic Lely.*) If the opinion of Commissioners could be obtained in a combined form, would it not have very great weight, as great a weight as that of the Financial Commissioner?—Certainly.

42300. Do they not stand nearer than any other to the people through their District Officers?—Certainly.

42301. A conference would secure uniformity on all important matters?—It would secure uniformity probably at the loss to Government of the opinions of some of the Commissioners that it valued most.

42302. How so?—One always feels in a conference of that nature that there is rather a tendency to sink opinions in order to secure uniformity. With our present system, by getting the written opinions of the Commissioners, at all events, one does learn what a Commissioner feels on any given subject.

42303. You think there is a danger that a Commissioner who feels at all strongly on a point would suppress his opinion merely for the sake of harmony?—He might waive it.

42304. Is your only other objection that the Commissioners, like the Sanitary Board, would not take much interest in matters brought before the conference?—I think so.

42305. I understand that you consider that the Commissioner has not sufficient power in police matters?—That is my view.

42306. You say: "The position of the Inspector-General of Police is that which seems to secure most efficiently the requisite degree of accessibility and despatch together with the minimum chance of departmental bias." What security at all is there against departmental bias in the treatment of an ordinary police officer?—What I meant to say is this: everything from the Inspector-General of Police comes through the Civil Secretariat; he may talk about various matters with the Lieutenant-Governor, but all references come through the Civil Secretariat.

42307. He is himself the Under-Secretary so it comes through himself?—It goes to the Lieutenant-Governor through the Secretary, and very important matters go through the Chief Secretary in addition.

42308. You think that is sufficient?—It at all events has the security that the Lieutenant-Governor has

before him the views of the Civil Secretariat as based on the previous records.

42309. In the actual administration can you suggest any possible further links between the Commissioner and the police administration?—At present the Commissioner merely sees the special police reports and the annual reports; he has no power of insisting on the punishment of a sub-inspector at all.

42310. Would you desire to give him some formal power of that kind?—Yes.

42311. In what way—how would he know whether a sub-inspector had been properly punished or not?—It would be referred to him by the Deputy Commissioner.

42312. Would you give him power to act in certain matters on the report of the Deputy Commissioner?—Yes. At present the provision is that the District Magistrate has the right to demand of the Superintendent of Police that he should take into consideration the conduct of a sub-inspector, and if the Superintendent does not punish him the District Magistrate has the right to refer it to the Deputy Inspector-General of Police. The Commissioner does come in there, but he is not a link in the proceedings at all.

42313. Would you go so far as to allow the Deputy Commissioner and the Commissioner to be made the appellate authorities in all or any cases?—No.

42314. You would not give them appellate power of any kind?—I do not think you would get the best work out of the Deputy Inspector-General of Police if you did that; you would take away his sense of responsibility.

42315. Does not the Inspector-General send a confidential report on the qualifications and character of his Superintendents and Assistant Superintendents and Deputy Superintendents every year?—Yes.

42316. Would you see any objection to that report going through the Commissioner for his remarks?—No, none at all.

42317. Would it be rather a good thing?—Yes, certainly.

42318. But you cannot suggest any further link, apart from the scheme of conference for discussion on all important points?—No, except that the Commissioner should always have power of inspection where he thought it was necessary.

42319. Has he not that at present?—It is a very limited power at present under the police rules.

42320. Has the Commissioner enough power in police matters in your opinion to give him any interest in them?—No, not at present.

42321. Suppose a conference of Commissioners was instituted, would you see any objection to selected Indians being invited to join it?—No, it would be an advantage if the body were purely consultative.

42322. Do you think that it would be a very great advantage to get Indians to join in a conference of that kind, where they might see the spirit in which Englishmen do their work and how they consider public matters?—As long as it was a purely consultative body, I think it would be difficult to put them into an executive conference.

42323. I am speaking of a conference which by the nature of the proposition has no executive power?—I agree, we are proposing to invite them to attend the meetings of the Sanitary Board in order to see how we deal with sanitary matters.

42324. There is a great deal said about political education; would it not have a more educative effect to get them to sit along with officers in their deliberations upon public matters, rather than to turn them loose among themselves and let them simply talk to each other?—I should think so, certainly.

(*The witness withdrew.*)

The Hon. Mr. J. WILSON was called and examined.

42325. (*Sir Frederic Lely.*) You are Financial Commissioner of the Punjab?—Yes.

The gazetted staff under the control of the Financial Commissioner includes all the Commissioners of divisions, Settlement Commissioner, Deputy Commissioners, and Settlement Officers and their staffs, also the Commissioner of Excise and the Directors of Land

Records and Agriculture. As Chief Revenue authority of the Local Government, the general revenue administration of the province, including all matters connected with the assessment and collection of the land revenue, the maintenance of the record-of-rights, and the relations between landlord and tenant. He also controls

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the administration of the Departments of Agriculture, Excise, Stamps, Income-tax, &c., and is consulted on large questions of irrigation and forest administration.

The financial powers of provincial Governments should be considerably extended, more especially in the direction of allowing them the power to sanction deviations from the general rules of the Civil Service Regulations and Civil Account Code, which at present require the sanction of the Government of India or the Secretary of State—for instance, in the matter of local allowances, *honoraria*, and small relaxations of the pension rules. They should also be given power to sanction appointments not more than Rs. 500 per mensem, and increases of establishment not exceeding Rs. 50,000 a year.

No more complete separation of imperial and provincial finances is required, but I would give the provincial Government the same financial powers as regards shared heads of expenditure as they have regarding purely provincial heads. The interests of the Imperial Government are not likely to suffer.

I would not give Local Governments separate borrowing powers, but I wish the Imperial Government would borrow more freely for productive expenditure, and would not be frightened by apparently high rates of interest. It will pay to borrow at even four per cent. when the net return on the expenditure is sure to be five or ten per cent.

There are many restrictions imposed by the Civil Service Regulations and the Civil Account Code which greatly tie the hands of Local Governments. My attention was drawn to several absurd restrictions of a petty nature by having to take up to His Excellency the Viceroy cases in which Local Governments were overruled in petty matters, involving small expenditure, in which some so-called financial principle was supposed to be at stake. I would go through these two Codes, and add to numerous sections of them the note—"The Local Government may, at its discretion, sanction a departure from this rule."

As Secretary to the Government of India in the Department of Revenue and Agriculture I was successful in getting the financial powers of Heads of Departments under that department considerably enhanced. A similar effort should be made as regards other Heads of Imperial Departments, but it requires careful study by a strong and determined committee, with time to go into details and energy to overcome the reluctance of the Secretariat to part with its powers, and especially of the Finance Department to trust other people with the spending of the taxpayers' money. I gratefully acknowledge that the Finance Department has been much more liberal in such matters of late years, but in a number of cases they would not go so far as the Department of Revenue and Agriculture was willing to go, and perhaps even that department did not go far enough. It is better to risk a certain amount of unprofitable expenditure than to tie the hands of Heads of Departments and keep highly paid Secretaries busied with questions of petty detail.

Generally speaking, provincial Governments have sufficient latitude in the application to local conditions of general lines of policy laid down by the Government of India, if only they would understand that when the Government of India makes suggestions they are meant as suggestions, and not orders. There seems to be too great a tendency to treat advice as if it were an order. According to my experience in the Revenue and Agricultural Department, we have rarely actually overruled a Local Government on an important question of policy, though we often reluctantly had to on some petty matter of accounts. It is true that we often gave them advice, but we did not insist on its being followed unless the Local Government itself approved of it. My view is that the Government of India, with its experienced Members and Secretaries and Heads of Departments, and its opportunities for studying the systems in force in the different provinces and their results, is in a position to place at the disposal of the provinces the general experience of all India and its own advice, which is often most valuable; and that it should freely communicate that advice to Local Governments, but should not insist on its views being carried out against the opinion of the Local Government unless in matters of real importance. To emphasize this position, the Government of India might well issue a resolution explaining that when it makes suggestions to a Local Government for its consideration

they are only intended as expert advice, which the Local Government may accept or not as it thinks fit. And that even when definite orders are issued, a Local Government is at liberty to ask for their modification if, after considering the views expressed by the Government of India, it thinks these orders are unsuited to the circumstances of the province. There are many matters in which the Government of India should not interfere by order, but in which it would be a real loss to the administration if the Local Government did not receive the benefit of the experienced advice of the Government of India and its experts.

There are many matters in which restrictions as to details imposed upon Local Governments by law, or by rules having the force of law, might be relaxed with advantage. I would go through all the Acts, and wherever the sanction of the Government of India is required, consider whether the Act should not be amended so as to eliminate that clause, as was done in the case of the Takkavi Acts. I would also pass a general Act of delegation, allowing the Government of India to dispense with the need for its sanction as regards different matters in particular provinces. (All are not equally fit to be trusted with powers.) It may be objected that this would make Local Governments more powerful, and place individuals and classes more completely at their mercy. To my mind this is an advantage, and most Local Governments are quite fit to be entrusted with larger powers in many matters that they may insist on the public good as against the interests of selfish individuals.

The influence of the Departments of the Government of India is naturally in the direction of excessive rigidity and uniformity. This is partly due to the financial rules which should be relaxed as above suggested. If Local Governments were clearly told that the advice given them by the Government of India itself and by its expert Heads of Departments was merely advice, they would be able to resist any undue tendency to uniformity.

It is naturally the tendency of each Department to consider matters from its own departmental point of view. The cure is to allow Local Governments to accept or reject the advice offered them, and to ask for a reconsideration of orders of which they do not approve, which practically means an appeal to the Viceroy personally. I do not think the Government of India is so much dominated by considerations of revenue as it is by the supposed sanctity of financial Codes, which should be treated as merely a body of general rules from which Local Governments are free to depart when they think fit for special reasons.

Directors and Inspectors-General under the Government of India, in dealing with departments which are primarily administered by Local Governments, should be strictly confined to giving advice, and that it should be clearly understood that they have no powers to issue orders to any provincial officer, and that the Government of India, though it will freely place their experienced advice at the disposal of Local Governments, and perhaps add its own, will not insist on that advice being followed unless the Local Government approves of it and willingly adopts it. On this understanding the advice of these experts should be most valuable to Local Governments and most of them would be glad to have it.

The initiative in administrative reforms in recent years has been mainly due to Lord Curzon's reforming energy backed by keen and able Members of the Government of India. Although they have caused much labour and met with some opposition, they have resulted, and will result, in great good to the people of India, and especially to the agricultural masses. I would allow provincial Governments to develop their administration on their own lines, adopting or not, at their discretion, suggestions of reform brought to their notice from other provinces, but I think the Government of India should not cease to press such suggestions on them with all the weight of its wider experience, not ordering them to adopt reforms, but persuading them, by argument and advice, of their utility.

I would curtail the right of appeal to the Government of India. Petty cases often come up which involve the expenditure on them, both by the Local Government and by the Government of India, of far more time than they are worth. In almost every case the appellant should have been content to accept the orders of his Local Government, and no real injustice

would be done if no appeal were admitted by the Government of India without a certificate from the authority below that reasonable grounds of appeal exist. Especially is this the case as regards the rules relating to appeals and memorials by officers of Government, which are much too lenient and tend to relax the standard of discipline in the Government Service. It is absurd that a petty official should be able to appeal, even against an order of dismissal, passed by such a high and impartial authority as his Local Government. I would allow no appeal against the order of a Local Government or the Head of an Imperial Department by any officer who was appointed by or under the orders of the Local Government or Head. I would allow one appeal to the Government of India by an officer who was appointed by that Government or by the Secretary of State, but would allow no appeal to the Secretary of State even by an officer appointed in England unless the Government of India certified that there were reasonable grounds of appeal. If these were the rules, no faithful servant of the State would feel at all more insecure in his appointment; if unfaithful servants felt less secure, so much the better. At present it is far too difficult for India to get rid of her bad bargains. And if a candidate for service is not prepared to trust his fate in the hands of the Local Government or Government of India, let him seek employment elsewhere.

Lord Curzon's enquiry into the system of reporting led to a substantial reduction in the burden which so oppresses all Executive Officers in India and hampers their power for good, but it did not go far enough, and the demand for returns and information is again increasing. Sometimes it is the Secretary of State who too indulgently calls for information to satisfy some inquisitive Member of Parliament, without thinking how much trouble the demand will involve to a Local Government and its officers, whose whole energies and attention may be required to combat famine or plague. I would ask the Secretary of State to issue general instructions to the Government of India to the effect that when he calls for any particular information the Government of India may, if they think its collection will involve incommensurate trouble, ask him to reconsider the matter and do without the information or obtain it from the archives of his own office. I would also ask him to empower the Government of India to appoint a strong committee to consider specially all the returns now demanded either by the Secretary of State or the Government of India and ruthlessly cut out any column, the filing up of which requires incommensurate labour, perhaps to thousands of clerks and patwaris and hundreds of overworked officials throughout India. Local Governments should also be encouraged to protest against new demands for statistics or information made by any department of the Government of India, and such protests should be placed before the Viceroy for orders. In no other way is it possible to check the insatiable demand of Secretariats and Heads of Departments for more and more statistics. They should be content to make use of such statistics as the Local Governments find sufficient for their needs.

In the Punjab extended powers regarding matters relating to revenue have recently been given to the Financial Commissioner, Commissioners of divisions, and Deputy Commissioners, and matters are now generally on a fairly satisfactory footing. But I am in sympathy with many of the suggestions recently submitted by the Punjab Government, and a good deal more might be done with advantage in the same direction. We shall no doubt go on asking for and obtaining sanction in cases as they come to notice, but a strong effort should be made to settle the question once for all. The Lieutenant-Governor should appoint a small committee of experienced officers in whom he trusts, placing them on special duty for the time, with instructions to make definite proposals for the further delegation of powers to all classes of officers. These proposals should not be criticized in the Secretariat, but should be accepted or rejected by the Lieutenant-Governor on his own personal knowledge or faith in the committee, and any of them which require the sanction of the Government of India should be accepted or rejected after examination only by the Secretary and Member of the Department concerned. The Government of India should approach the subject with the feeling that a considerable delegation of powers is desirable, and as regards details, if

a Local Government is willing to trust its officers, it should be permitted to do so. If each proposal is noted upon and objected to by a succession of clerks, Under-Secretaries and Deputy Secretaries, the net result is very small for all the labour involved, and there would be no danger in the more summary procedure advocated, as the delegation would be made on the advice of experienced officers with a full sense of responsibility. The same remarks apply to the case of extended powers regarding matters of general administration.

The recent Act went much too far in centralizing the powers of Courts of Wards in the hands of the Financial Commissioner, and the powers, both of Commissioners and Deputy Commissioners, should be considerably enhanced by delegation.

Commissioners and Collectors should have much greater power to control expenditure in their divisions and districts. Each of them should be given a considerable allotment to be spent in accordance with rules, the Commissioner's or Collector's order for the expenditure being accepted as sufficient authority by the Audit Department, so long as it was not contrary to the rules. Each Commissioner and Collector should also be given a sum to be expended on such objects as he thinks beneficial to his charge, subject merely to a report to his immediate superior every year as to what he has done with the money, but entirely exempt from any professional audit. Many of the powers, now vested in Local Governments by the Civil Service Regulations or other financial rules, might safely be entrusted to Heads of Departments, Commissioners of divisions and Deputy Commissioners.

I would allow no appeal to the Local Government in respect of administrative action unless accompanied by a certificate from the authority appealed against that reasonable grounds of appeal exist. I would allow every officer of Government one appeal, but I would instruct the appellate authority not to interfere with the original order unless it appeared that substantial injustice had been done, especially in the case of petty officials, who should ordinarily be content to abide by the decision of their immediate superior. I would allow no second appeal to the Local Government unless in the case of an officer who was appointed to his post by the Local Government itself. I would deal similarly with appeals to Heads of Departments and Commissioners. If the officer passing the order had the power to appoint the erring official, I would allow an appeal only when a certificate was given that there were reasonable grounds for appeal.

The influence of the Provincial Government is not in the Punjab seriously in the direction of excessive rigidity or uniformity, but by increasing the powers of Commissioners I would provide for greater elasticity.

The tendency of all Secretariats must be to regard matters from a purely departmental standpoint, but this tendency has not of late been allowed to go much too far in the Punjab, chiefly because the Secretaries have been men with long district and settlement experience, and have not got out of touch with practical work in the districts. Secretariats cannot, however, help dealing with matters strictly according to rule and precedent, which tends to rigidity and uniformity. The cure is to remove as many matters as possible from their interference by ample delegation of powers to officers on the spot. The Punjab Government has not been too impersonal or too much dominated by considerations of revenue, as it has been presided over by Lieutenant-Governors of great experience of real work in the districts and of broad sympathies with the agricultural masses.

The Commissioner should be consulted more fully than he is in matters appertaining to all departments. His position should be greatly strengthened by delegating to him a considerable share of the powers now retained by Government and the Financial Commissioner, and by requiring his assent to all important measures concerning his division proposed by other departments.

Executive Officers are too much tied down to their desks and to headquarters by excessive work, including report-writing. I would reduce report-writing by making reports shorter and requiring them at less frequent intervals, and by accepting a less high standard of report in all but important matters. An ordinary routine report might well be written by an

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Assistant Commissioner or head clerk, and the Deputy Commissioner might confine himself to cutting out what was inaccurate or superfluous, and adding a few remarks of his own. Each Deputy-Commissioner should be given a better paid and better qualified head clerk, able to draft a good letter and fit to be trusted to sign for the Deputy Commissioner routine dockets and returns. He should also have an experienced Assistant to whom he can safely hand over portions of his duties, only keeping a general control over him. This Assistant should have a special allowance in consideration of his special responsibility. In heavy districts he should be a senior Assistant Commissioner, and in light districts a selected member of the Provincial Service. His main duty would be not to share the work of the ordinary staff, but to perform as much as possible of the routine duties of the Deputy Commissioner, and so leave the latter more time to tour, to mix with the people and to devote thought and attention to really important matters.

In my opinion Executive Officers generally do not possess sufficient knowledge of the local dialects and often experience a difficulty in understanding and making themselves understood by the illiterate villagers. And this is one of the chief reasons for misunderstandings and want of sympathy. I would require and encourage all officers of all departments to acquire a thorough knowledge, not of literary languages, such as Sanskrit or Persian, but of the local dialects of the villagers, by making the rules for examinations much stricter and the standard of examination in such dialects stiffer, and offering a substantial reward for proficiency in a local dialect.

I do not think any large general increase in the administrative staff is required, but some increase is desirable in order to provide for an experienced Assistant or Extra-Assistant Commissioner being permanently retained in each district to relieve the Deputy Commissioner of routine work. No general reduction in the area of district or other charges is called for, but the Lahore district should be divided into two, and as time goes on, it may be found desirable to reduce the area of one or two other districts or *tahsils*.

Sufficient care is usually exercised in the selection of Commissioners, and these officers are all fitted to be entrusted with enhanced powers. As regards Deputy Commissioners, the difficulty is that they are of very different degrees of experience and ability. It is a great mistake to refuse to trust Deputy Commissioners generally with enhanced powers because a few of them may not be fit to exercise them. I would therefore divide Deputy Commissioners as regards powers into two classes. An officer on first appointment would exercise second class powers which would only be a little higher than those at present exercised by all Deputy Commissioners. When the Lieutenant-Governor was satisfied that an individual Deputy Commissioner was qualified to exercise the higher powers, financial and administrative, of the first class, which would be more like those now exercised by Commissioners, he would invest him with first class powers, which he would thereupon exercise for the rest of his service as Deputy Commissioner. Even so, I think the Local Government should be more ready than it usually is to revert an officer who has proved himself unfit to hold the very responsible position of Deputy Commissioner, and should have the power, subject to the sanction of the Government of India, to compulsorily retire on reduced pension a Civilian who has not come up to the average standard of the service. It does immense harm to the administration and is very unfair to the people to keep on an incompetent officer and have to provide him with posts suitable to his seniority. Such a power would be rarely exercised, but its existence would do much to stir up the lazy and incompetent without in any way lessening the security of the main body of good officers.

Transfers of officers are far too frequent, and these constant changes are one of the greatest evils of our present system, as it is impossible for officer and people to get to know and understand each other, so that administration becomes mechanical and all the advantages of personal rule and sympathy are lost. They are caused by the frequency of vacancies due to leave, and by the expectation of officers that their personal claims will be considered in making appointments. In posting officers more regard should be

had to the claims of districts than of the officers themselves. To each district a particular officer should be told off and he should be expected to stay in it for at least three years, if possible for five. He should be told that he will not be transferred merely because a temporary vacancy has occurred elsewhere which would give him slightly higher pay, or because some other district has fallen vacant which he would like to have. If it becomes necessary to transfer him temporarily, his post should be filled up temporarily by an Assistant or Extra-Assistant Commissioner on the spot, and the permanent incumbent brought back as soon as possible to his own district. In filling up temporary vacancies it should not be thought necessary to bring from a distance a slightly better or senior man, either because he is considered better qualified to fulfil the duties, or because it will give him a slight rise of pay. That means a chain of transfers, each destroying continuity of administration and of knowledge. For a temporary vacancy an inferior man with local knowledge is better than an Admirable Crichton with none. So far as possible, no man should be transferred from his particular district until a permanent post in another district is available for him. He should never be transferred merely because he is thought to have had a pleasant station long enough, in order to give some other officer a turn of a good climate. That is all very well for the officers, but bad for the people. In order to reduce the uncertainty of leave vacancies, I would draw up a roster in which each officer would be allotted his due share of leave. If he took his leave at the time fixed in the roster as most convenient for Government, Government should pay his passage home and back, together with those of his wife and children. If he asked for leave at any other time more convenient to himself but less convenient to Government, he should pay for his own passage, and would run the risk of having his leave refused.

It would be a good thing to have experimentally in some divisions and districts an Advisory Council, with no administrative powers. It should consist of a small body of carefully selected individuals, nominated by the Commissioner, to hold office for five years at a time, but to be eligible for re-nomination. They should be selected as men of intelligence and local influence, representatives of the different classes and especially of the landowning class. They would be consulted as a matter of course on all proposals for legislative or administrative changes of importance, and would be assembled once a year to meet the Commissioner or Deputy Commissioner, who would explain to them the policy of Government, give them any information they desired, and discuss informally with them any matters of general interest. Such a body, so long as it had no powers, would be of use to the administration, and its existence would help to keep officials and people in closer touch with each other.

I think that no administrative powers could be entrusted to all village communities generally, but that there are many communities which could and ought to be so trusted, and that their number will increase as time goes on. There is a strong feeling in some of the most advanced villages that the more intelligent members should have greater power than they have to enforce measures for the common good on the recalcitrant few. The old village community has greatly decayed, because each individual villager now finds that with the help of the Courts he can defy the wishes even of a large majority of his fellow-villagers, and that we have provided no legal substitute for the old sanction of village opinion, the authority of which we have destroyed. I would pass an Act empowering the Commissioner to establish in any village, in which the people generally show a desire to have it, a village panchayat consisting of the headmen and such other residents as the Deputy Commissioner may nominate after consulting the villagers generally, but without taking votes. I would invest this panchayat with power to manage the common property and common expenses of the village and to impose a small cess for village purposes on all persons owning or occupying land or residing in the village. They should have power to enforce sanitation, and might in time be given power to decide petty criminal and civil cases. Appeals from their orders should lie only to an experienced official, and no one under the rank of *naib-tahsildar* should be employed to report on their working or on any dispute that may arise.



42326. Your districts in the Punjab are on the average small?—Yes, as compared with other provinces of India.

42327. The sub-divisional system scarcely exists here?—We have about half a dozen sub-divisions only, in about six districts, I think; I forget the exact number.

42328. In other districts the revenue work and the chief touring work is done under the Deputy Commissioner by the Revenue Assistant?—That is so.

42329. Is he often the only Covenanted Civilian in the district?—He is not usually a Covenanted Civilian at all; the Revenue Assistant is almost always an Indian; it is only exceptionally that an Assistant Commissioner is appointed Revenue Assistant.

42330. He belongs to the Provincial Service?—The Revenue Assistant ordinarily does.

42331. I understand that ordinarily in these districts where there are no sub-divisions, the Deputy Commissioner is the only man belonging to the Civil Service who tours among the people; is that so?—In some of the small districts it is so, but in most of the larger districts we have staff enough to appoint an Assistant Commissioner, who belongs to the Covenanted Service, as an Assistant to the Deputy Commissioner, in which case he also tours a good deal. Most of the touring is done either by the Provincial Service men or by the Deputy Commissioner himself in the smaller districts.

42332. When there is an Assistant Collector who also can tour, what are his functions? Are they territorial or is it simply general subjects?—Unless he is in charge of a sub-division, he is supposed to do things generally as he goes along, especially to devote himself to revenue matters and to look into matters like the administration of schools and hospitals, and roads and sanitation, and the general administration of the district; then if there is any particular question the Deputy Commissioner wants to have enquired into on the spot he tells him to make enquiries.

42333. Then generally his outlook is the same as the Collector's, only in a subordinate capacity?—That is so.

42334. What is your own opinion about the territorial system which we find in some other parts of India, where an Assistant Collector or an Extra Assistant Collector has a portion of the district allotted to him as a sort of miniature Collectorate in which he is responsible generally for all the agencies of Government?—I am strongly in favour of extending that system. We have added recently to the number of sub-divisions in the Punjab, and I should like to see more. First, it brings the officer with authority and position more closely into contact with the people; then it relieves the Deputy Commissioner of a considerable portion of his work; and thirdly it is a most excellent training for a young Assistant Collector for the duties of Collector.

42335. You rather advocate a return to the old system of the Court of Wards, but why was the old system abandoned?—I believe it was practically forced on the Punjab Government of the day by the Government of India. In the old days the Deputy Commissioner was the Court of Wards, subject only to control from above. When there was a question of improving the Court of Wards Act and bringing it up to date, the Government of India, owing to experience in some other provinces, practically insisted that in the Punjab we should centralize by making the Financial Commissioner the Court of Wards, and allowing him to delegate the powers that he thought necessary to Commissioners and Deputy Commissioners.

42336. Then the statement that the system in the Punjab had broken down in consequence of incomplete supervision over the Deputy Commissioner is not founded on facts?—No, it had not broken down at all; we had only two or three short sections in the Punjab Act under which we were working, and we found that as the needs of the province had grown we required a more elaborate Act, that is all. May I correct a statement that Mr. Hailey made. We have power under the Court of Wards Act to delegate any powers we choose; with the consent of the Local Government, the Financial Commissioner can delegate any of his powers to the Commissioner or Deputy Commissioner.

42337. Does he do that really?—Powers have been delegated to a certain extent; and I have just recently drawn up a list of the powers which I propose should be delegated to Commissioners and Deputy Commissioners, and I have asked the Commissioners to make further suggestion if they wish to do so. I expect the result of that will be that powers will be very considerably delegated.

42338. Do you agree that one of the chief difficulties at the present day is to make the people generally understand the intentions and wishes of Government?—I have found it so to a very large extent; they very often do not understand what we are doing, and, misunderstanding, are easily misled.

42339. And that leads to trouble?—Yes.

42340. Do you think it would be worth while for Government to issue a simple village Gazette containing notices of appointments and other interesting Government news, and important Government Resolutions, paraphrased into simple vernacular?—I certainly think it would be a good thing in selected districts, and especially as regards selected villages. There are many villages in the Punjab where hardly any of the people can read or write, and in such cases a Gazette such as you mention would be useless; on the other hand, there are many villages where such a publication would be very eagerly examined and discussed. I should like to see it tried.

42341. Are there villages in the Punjab in which even the ordinary vernacular paper is not read?—There are very many villages to which no paper ever goes at all.

42342. About feeder railways; do you think that projects of that kind are facilitated as much as is desirable in this province?—I should like the Local Government to have more power to raise money in some way, to extend feeder railways which are likely to be profitable, or if not profitable, at all events advantageous in different ways in developing the country.

42343. Are there proposals which are hung up either by the Local Government or by the Government of India which might be of great service to the public?—I believe there are. There is a programme which is discussed once a year by the Lieutenant-Governor with the Heads of Departments interested, and there are a number of schemes which have been approved, but they cannot be carried out for want of funds.

42344. Are there not also cases that have been taken up by promoters who are ready to provide the money if reasonable terms were offered to them?—There is a difference of opinion very often about reasonable terms; they generally want more than Government is willing to give in the matter of guarantees, and so on.

42345. Do you think the Local Government should have more power to deal with cases like that than it has?—I am not prepared to go as far as that in the Punjab; the chief difficulty is to get the money.

42346. You would not give the Government power to facilitate the raising of money by guaranteeing or sanctioning a guarantee of any sort?—Yes, I would.

42347. You think the Local Government ought to have more power?—I think it should, under the control of the Government of India as regards getting the money. I do not mean that the Local Government should have power to borrow money apart from the Government of India, or to give a guarantee which was not backed by the Government of India, but that the Government of India should leave it a freer hand in giving such a guarantee, and provide the money, where necessary, more readily.

42348. Would you draw the distinction between lines which cannot by any probability become portions of a main line, and lines which may become portions of a main line?—Certainly; I should be much more ready to allow a private company to construct a line which was not likely to be part of a main line.

42349. You would give the Local Government more power in such cases?—Yes, I should be prepared to do so.

42350. You speak in more than one place of the advisability of forming a strong committee to consider one subject or another. Would you advocate the appointment of a committee, or rather of an

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expert, to overhaul what I may call the minor practice of the audit office and to prune down superfluities?—I should very much like to see that done. The audit of accounts is very burdensome to the Accountant-General and his staff and to every officer who has to deal with accounts, and I think it is carried into far too great detail.

42351. Would you say that the system has grown up gradually, insensibly, for many years?—Yes.

42352. And it needs pruning?—Undoubtedly.

42353. I remember as Collector I had to sign a single paper three times; is that still a necessity?—I think it is in many cases. There are far too many signatures which must be given by the Collector himself; it is very often a great burden.

42354. I remember a case of the purchase of stamps; the Head of a Department has to buy service stamps; he gets Rs. 200 or Rs. 300 worth at a time and he has to pay for them in cash from his permanent advance; he gets that recouped from the treasury. Why should that not be done by a mere debit and credit entry?—I should think it might well be done.

42355. Is it not likely that an enormous amount of cash is unproductively spent in various provinces in matters of that kind?—I suppose there must be; I know there are very many formalities which are very burdensome and which I think might well be dispensed with without any risk of embezzlement or irregularities.

42356. (Sir Steyning Egerley.) Do you think it would be worth while to bring out somebody who is acquainted with the other systems to take part in this overhauling of the audit?—I think we have quite enough experts in India itself.

42357. All trained in one school?—True; I should be prepared to trust the Indian expert who knows the country.

42358. You open your evidence by saying that you agree in the main with Sir Denzil Ibbetson and Sir Thomas Gordon Walker. Do you agree with the evidence with regard to the effect of specialization and centralization as summed up in that paragraph of the evidence of Sir Gordon Walker which I read to the last witness?—I think that is putting it rather too strongly. There has been great specialization, and it is the tendency of all special departments to try to get authority, influence, and power. Some of them have been more successful than others in obtaining that power, but on the whole I do not think the departments of the Government of India (I believe that was what Sir Gordon Walker was referring to) have on the whole gained any very strong share of authority as regards matters which are administered by the Local Governments. Those that I have had to do with, especially in the Revenue and Agriculture Department, as a rule confine themselves to advice, and it is well understood that they have no power to issue orders.

42359. You say you think that this committee which is suggested should endeavour to get the Finance Department to trust other people with the spending of the tax-payer's money; it has been suggested that the attitude of the Government of India towards a Local Government in matters of that sort is rather that of a father to a boy of 14 years old; would you think that there is anything in a parallel of that sort?—I think the attitude of the Government of India and the Secretary of State, in fact the whole tendency of the Civil Account Code and the Civil Service Regulations, is not to trust anybody below, but to make them get sanction in all kinds of things which they might well be trusted to decide themselves, and although, perhaps, Local Governments and officers below Local Governments might in some cases make mistakes and be too liberal, the total amount that would be lost to Government in that way would be very small, and the amount of centralization and unnecessary discussion and correspondence would be vastly reduced.

42360. As to this delegation Act, did you hear Mr. Hailey's evidence?—I heard most of it.

42361. A suggestion has been made that an Act of that sort, not necessarily to be used in every case, but to have it for use on suitable occasions, would be very advantageous if properly safeguarded, and if utilized for delegations as between the Government of India

and Local Governments, and as between the Local Government and its own Heads of Departments. How far are you inclined to agree with that view?—I am strongly in favour of it. I would like to suggest that this might be done; I think there ought to be a general Act drawn up giving the Government of India power, in all cases in which under existing Acts the orders of a Local Government require its sanction, to delegate those powers by executive order to the Local Government in every case where it thinks proper so to do, and at the time it thinks proper so to do. But a list might be added to the Act of powers which the Government of India shall not have power to delegate; a certain number of exceptions might be put in a schedule to the Act; it might be said, "This Act does not apply to the powers mentioned in the schedule," and before those powers could be delegated to the Local Government, a separate Act of the Legislature would be necessary. One reason for having an Act of that sort is that Local Governments are by no means equally well equipped or well developed, and it would often be a mistake to delegate the same powers to all Local Governments at the same time, and it would mean an enormous amount of labour to have a separate special Act for every instance of delegation.

42362. You think that the proper sphere of Directors-General should be giving advice?—Yes, only that. They should have no power to issue any orders to a Local Government or its subordinates.

42363. It has been suggested that the Government of India might use them for getting information necessary for exercising their powers of control and reporting to the Secretary of State, and that that might go the length of the Inspector-General writing to the provincial Head of a Department and getting a report direct from him. What do you think of a suggestion of that sort?—It would require to be very carefully safeguarded, otherwise it would mean a great deal of paper work for the Local Department, and also it would mean by degrees, perhaps, the Inspector-General interfering too much in the details of local administration. As a general rule, I should say he should not call for information from the Local Director unless with the consent of the Local Government, but he should be quite free to tour about in the province and find out things for himself, and consult the local Director.

42364. Under any possible safeguards would it be proper to entirely leave out the Local Government in that way?—Yes, if the Local Government had itself consented to being thus safeguarded.

42365. Then they would not have been left out?

42366. You are in favour of some system by which Local Governments might be able to get rid of men who are either worn out or have proved incompetent?—Yes, I think we certainly want greater power in that matter.

42367. Even to the extent of giving proportionate pensions?—Yes.

42368. You say that if each proposal for delegation is noted on in the Secretariat, you think it is quite possible that the nett result may be very small. I suppose you might even be told that your proposal affects other Local Governments than your own, and that nobody else has asked for it, and that the Government of India will not take it up unless other Local Governments also ask for it?—That is quite possible.

42369. Would that be possible in the Revenue and Agricultural Department?—Yes.

42370. And in the Finance Department?—Certainly, it often happens so.

42371. You also are in favour of strengthening the Commissioner?—Yes, I think he should have much more power and authority and influence than he has now.

42372. Would you give him a much stronger office?—I should give him as personal assistant, either an Assistant Commissioner or an Extra-Assistant Commissioner of experience, who might be trusted to do a great deal of his routine work, checking bills and that sort of thing, and he might do a certain amount of inspection for him.

42373. Do you think that the offices of the Commissioner and Deputy Commissioner are strong enough?—I think they both require to be strengthened

now. The province has developed very much in many ways, and the staffs of neither the Commissioner nor the Deputy Commissioner have kept pace with it.

42374. Do you think the Subordinate Service is sufficiently paid?—They were until lately; but now that prices are going up it is possible that it may be necessary to give them increases of pay.

42375. We have had evidence in the province that the rise of prices has been such that men like patwaris, and so on, cannot possibly live on their pay, and that a belief is abroad that Government tacitly admit the fact and therefore tacitly consent to their acceptance of perquisites and so forth; have you come across any impression of that sort?—I would not put it in that way, but I think the lowest paid grades of all, the patwaris, *chaprasis* and *muharrirs* and so on are now undoubtedly underpaid because of the great rise of prices and wages of late years.

42376. Would you be prepared to make the Commissioner a sort of financial sanctioning authority for outside departments?—In certain cases I should make the Commissioner the sanctioning authority where he is not now, instead of the Head of the Department; in other cases I should require the Commissioner's concurrence; I would leave the responsibility with the Head of the Department, only he must get the concurrence of the Commissioner, and if the Commissioner does not agree with him it must go to the Financial Commissioner or to the Local Government.

42377. You are of opinion that the rules for language examinations in the Punjab require considerable reconsideration?—Not only in the Punjab; I know much more about the Punjab than the rest of India, but, speaking generally, I do not think our officers know the language sufficiently well, especially the local dialects. I think that they should be required to have a fuller and more accurate knowledge of them.

42378. (*Mr. Meyer.*) As regards the intricacies of the audit system, the countersignatures and vouchers, and so forth, those rules are not laid down by the Government of India?—I understand they come from the Civil Account Code and the Civil Service Regulations.

42379. Is it not specially laid down, for instance, in the matter of travelling allowance bills, that the Local Government may declare who the Controlling Officer shall be?—I am not certain how it goes, but there has been a delegation of powers lately which will help to reduce work in that respect.

42380. Are not half these matters things which the Local Government could settle direct with the Accountant-General; they themselves, by approving the orders as to vouchers and countersignatures and so forth, have put the fetters round their District Officers. For instance, who countersigns the Deputy Commissioner's travelling allowance bills here?—The Commissioner.

42381. Would you be surprised to hear that in Madras, as Collector, I was my own Countersigning Officer?—I did not know that that was possible in the Punjab; that is one of the small things we want done, that the Collector's own countersignature should be taken as sufficient for his own travelling allowance bills; I thought that was forbidden by the rules.

42382. There is no rule of the Government of India on the subject. The Local Government is now going through all these points and delegating powers where it can, and sending up to the Government of India where it cannot.

42383. As regards the sub-divisional system where you have it—which is not over very large areas—even there, I understand, the Sub-Divisional Officer cannot issue definite orders himself, but must send them up to the Deputy Commissioner for approval?—That depends very much on the Deputy Commissioner; some Deputy Commissioners give their Sub-Divisional Officers all the powers they can; others like to keep the whole thing in their own hands. It also depends on the Sub-Divisional Officer; if a youngster comes in, of course the Deputy Commissioner keeps a larger control over him; if he is a senior officer in whom he has some confidence, he will give him more freedom.

42384. So that the Sub-Divisional Officer only has what the Deputy Commissioner chooses to give him?—That is so, he is entirely under the Control of the Deputy Commissioner.

42385. If you have a real sub-divisional system you must surely give the Sub-Divisional Officer some standing apart from the wishes of the Deputy Commissioner for the time being?—He has certain powers under the Criminal Procedure Code, and he is also the Assistant Collector and the Sub-Divisional Magistrate for his sub-division. The Deputy Commissioner, of course, has the power to withdraw cases from him or to send particular cases to him, but he has an assured position unless the Deputy Commissioner chooses to issue special executive orders.

42386. To take a higher analogy, would you, for instance, think it would be satisfactory if the Government of India could, and did, at any time withdraw all powers from any Local Government which happened to be on bad terms with it, or whom it distrusted?—I think it would not. I certainly think, however, that a Deputy Commissioner, if he finds a youngster sent to take charge of a sub-division has not had much experience, or if he does not know what sort of man he will turn out, might very properly, and in fact ought to, keep more control over him than over a more experienced man.

42387. You spoke of the Criminal Procedure Code; can any Sub-Divisional Officer hear appeals?—I am not certain about that; the Sub-Divisional Officer usually is empowered to hear criminal appeals from third class Magistrates, I think.

42388. Might it not be a good thing if you were to send an officer to some province, perhaps more advanced in matters of decentralization, where the Sub-Divisional Officer is largely the District Officer, and the Collector or Deputy Commissioner is more of a controlling or supervising authority?—You mean to send somebody to learn how things should be done?

42389. Yes?—I think it would be.

42390. Would you be in favour of giving Commissioners budgets of their own; take Public Works, for instance?—Yes, I should.

42391. And budgets relating to other matters in their division, forests and so on?—Yes; I should like to hand over to the Commissioner as large a portion as possible of the available money, and allow him to spend it freely within his division.

42392. Do you appoint tahsildars now?—Yes.

42393. Would you be prepared to place them in divisional lists, with Commissioners appointing the tahsildars?—We have recently given the Commissioners power to appoint, dismiss, and control naib-tahsildars; until recently they had not that power. Now the arrangement is that the Local Government looks after the Extra Assistant Commissioners, and the Financial Commissioner looks after the tahsildars, and the Commissioners look after the naib-tahsildars. That is, I think, the best division of control as regards those officers.

42394. You think the tahsildars should be in your own charge; does that not lead to their being shifted a good deal from division to division?—No; we place them under the orders of the Commissioner who can transfer them within his division, and a tahsildar is rarely transferred from one division to another unless for very special reasons, and then with the Financial Commissioner's sanction.

42395. We were told that although the Commissioner had theoretically the posting of Assistant Commissioners and Extra-Assistant Commissioners within his division, it was not as a matter of fact done, the Secretariat posting them to particular districts. Would you be in favour of posting a man to a division and letting a Commissioner post him in that division?—That was tried some years ago; the difficulty was that we were so short of staff. It was found that a man who had been placed at the disposal of one Commissioner had to be withdrawn and sent to another division; if we had sufficient staff it would be better to leave to the Commissioner the matter of posting.

42396. Then, it has been suggested to us that the function of investing with ordinary magisterial powers—and in such matters as taking down evidence in English, or committing to Sessions, and so on—might be given to the Commissioner, subject to the concurrence of the Divisional Judge?—That would be quite safe as regards the smaller powers.

42397. You would not go as far as first-class powers?—No.

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42398. It has also been suggested that, in so far as outside control is necessary for District Boards and municipalities, it might be exercised entirely by the Commissioner, except perhaps in big cities, and except of course in such a fundamental matter as the creation or abolition of a municipality; would you accede to that principle?—Yes; for all but the very largest municipalities.

42399. Take Lahore for example; that you might put under the Government?—I think so.

42400. But the ordinary municipality with a population of less than (say) 50,000 might be left entirely to the control of the Commissioner?—I think so.

42401. It has also been suggested that Commissioners might have some powers under the Land Acquisition Act within certain limits—taking up land for public purposes and so forth; would you agree with that?—Yes.

42402. When the Commissioner's powers have been increased in those ways, where would the Financial Commissioner come in?—Most of those matters are matters with which at present the Financial Commissioner is not concerned—I mean about municipalities and Public Works and things of that sort, in the different districts; the Financial Commissioner's powers would remain much as they are now.

42403. Would you give the Commissioners considerable power, subject to budget allotment, in making temporary appointments for their own offices?—Yes; we have already given them some powers in the matter of office work.

42404. Would you go further, and give them the power to create permanent appointments up to a limit, say, of Rs. 25?—No, I hardly think that would be safe.

42405. We have been told by one witness that the Director of Land Records might be done away with; do you agree with that?—Yes; provided that each Commissioner is given an experienced personal assistant to help him to inspect the revenue records in the different districts.

42406. Take the Commissioner of Revenue Settlement; in the United Provinces they do not have such a Commissioner unless there are a lot of settlements on at one time; do you think a separate Settlement Commissioner is necessary here?—For many years we have arranged in the Punjab that there shall be a continuous number of settlements going on; there are about five or six districts always under settlement, and there always will be. We tried for some time to do without a Settlement Commissioner, and found it was quite impossible for the ordinary Divisional Commissioner to perform efficiently the duties of a Settlement Commissioner.

42407. If it were possible to decentralize and give to the Commissioner a good deal of the work now done by the Financial Commissioner, might not the Financial Commissioner double up his own post with that of Settlement Commissioner?—You would have to go very far indeed in relieving the Financial Commissioner of his present work. He is the only man of that standing for the province, and has certainly as much work as he can do; and, if he were the only supervising authority for settlements, that very important work would not be properly supervised.

42408. Is it the fact here, as in some other provinces, that the Settlement Officer sends up his report straight to the Commissioner, and ignores the Deputy Commissioner?—He usually consults the Deputy Commissioner, but he is not required to do so.

42409. Surely the Deputy Commissioner ought to have his say in such an important matter affecting his district as a re-settlement?—The Settlement Officer is very often a man of nearly equal experience with the Deputy Commissioner, and he usually knows the district very much better than the Deputy Commissioner does, from the revenue point of view; he has seen much more of it; he has more experience of settlement work and assessment work; and he is not always, but often, more competent to give an opinion on what should be the assessment of the district than the Deputy Commissioner at the time will be.

42410. What is the harm in the report going through the Deputy Commissioner? If he agreed with the Settlement Officer, that would strengthen the case; if

he disagreed, it might be worth while to consider his views?—Yes, there would be no harm, except the delay.

42411. Take the Court of Awards case you have mentioned. Are you aware that the decision of the Government of India that the Financial Commissioner should be the Court of Awards was come to on the advice of two eminent Punjab officers, Sir Denzil Ibbetson and Sir Charles Rivaz?—I was not aware that it came from them. I do not want to object to it. I think it is better as it is, if we delegate powers as we can under the Act.

42412. All the Government of India said was that the Financial Commissioner had better be the Court of Awards; there was nothing to prevent the full delegation of local powers to Deputy Commissioners, and so forth; but, as I understand, as soon as the Financial Commissioner had been constituted the Court of Awards, he proceeded to extend his power and to seize everything for himself?—He did not extend his power, but the Act conferred all the powers on him, and till he took action by delegation he necessarily had all the powers.

42413. Did he take action by delegation?—Certainly.

42414. Much?—Yes.

42415. You have told us that some further delegation is on the *tapis*; but we have been told by other witnesses that hitherto every little establishment matter has had to go up?—Not everything; there were considerable powers conferred on Commissioners and Deputy Commissioners; I think they can be extended with advantage now.

42416. You do not think that it is, if I may say so, the "cussedness" of the Financial Commissioner rather than the "cussedness" of the Government of India that is responsible for the existing situation in practice?—No, neither the one nor the other. The Act was passed making the Financial Commissioner the Court of Awards, and until action was taken by delegating under that section everything necessarily went to him; it is not very long since the Act was passed; we are by degrees delegating more and more.

42417. Then you had not your delegation schedules ready before the Act came into force?—I do not know about that.

42418. In other matters it has been put to us that, between the departments and the Financial Commissioner, the Commissioner in the Punjab has not nearly as much power as in other provinces. Would you accept that—that the Financial Commissioner is a centralizer, and that he is taking powers from the Commissioners?—No; I think the tendency has been to decentralize even before this recent enquiry.

42419. Would you be in favour of making the Financial Commissioner at the same time Secretary for revenue matters to the Local Government, as has been proposed in the case of the Central Provinces?—I have thought of that at times; I have thought that it might be of advantage, for instance, when the Financial Commissioner writes a review on an assessment report that it should go straight from him to the Lieutenant-Governor, without being criticized by the Secretary. On the whole, I think it is better that things should remain as they are; that the Lieutenant-Governor should not only have the advantage of the Financial Commissioner's opinion, but of that of his Secretary.

42420. With the result, at present, that the Secretary, who is a junior and less experienced officer, has the last word before the matter goes to the Lieutenant-Governor?—Yes; but I should think that the Lieutenant-Governor remembers that the Financial Commissioner is the senior and more responsible man.

42421. Do you know the system which Sir Andrew Fraser has introduced into Bengal; it is practically to make the Revenue Board's office and the Government office one office for the purpose of noting; the superior officers' noting begins with the Board's Secretary, then the case goes to the Revenue Secretary to Government; then to the Board member. If they agree, that settles matters in a variety of cases; if they do not agree, or in important matters, the case goes to the Lieutenant-Governor, with the result that the Board's member (that would be the Financial Commissioner in this

province) has noted last, and has been able to reply to any argument raised by the Revenue Secretary. Would you think that there is anything in that system as bringing you more into touch with the Lieutenant-Governor?—In the Punjab I think the practice has been that the Lieutenant-Governor in important matters when he differs from the Financial Commissioner contrives to talk to him about the case before he passes final orders; that is I think usually sufficient. The other system might perhaps be tried; I do not think there is any great necessity for it in the Punjab; the present system seems to work well enough.

42422. Looking at the matter from the opposite point of view, would it be desirable that the Financial Commissioner, instead of going to Simla with the Lieutenant-Governor, should remain in the province in closer touch with the district administration?—No; it would not.

42423. You spoke about the present corruption of patwaris; does not the fluctuating assessment system put large powers in their hands?—Yes.

42424. Is that an advantage?—No; by itself it is a disadvantage.

42425. You are against the fluctuating system?—No; I am very strongly in favour of the system.

42426. You think that, in spite of putting money into the hands of the patwari, it is a good system?—The advantages outweigh the disadvantages in the tracts in which it is in force.

42427. One eminent authority has told us that in his opinion the focus of control with regard to all departments should commence not with the Local Government, or even with the Commissioner, but should begin with the Deputy Commissioner—that the Deputy Commissioner should really represent Government in his district, having a certain general control over outside departments. Do you agree with that?—Yes; the Deputy Commissioner should have much more power than he has now.

42428. Are you satisfied now with the present relations with the Public Works; do you want more specific control there?—You mean the Roads and Buildings Branch?

42429. I mean Irrigation mainly?—As regards Irrigation, I am strongly of opinion that the assessment of canal rates should be left to the revenue authorities, the Deputy Commissioner and his staff; the distribution of the water should be entirely made under the responsibility of the Irrigation Officers, but they should consult the Deputy Commissioner before making any serious changes.

42430. You mean in the matter of distributaries?—Yes; altering the distribution of water within the villages.

42431. We have got that divided system in Madras. The Collector is responsible for assessments, and the Public Works Department is responsible for the distribution of water, and in Madras that has given rise to a certain amount of friction.—With the Canal Officers that I have known there would not be much danger of friction; if they did anything wrong they would very soon hear of it from the people if they had no good reason for their action.

42432. But if you divorce them from the work of assessment, would they not tend to become pure "water" people, who would open and close the channels just according to their scientific notions?—As I say, they ought to consult the Deputy Commissioner before making any change in the distribution.

42433. You speak of the reluctance of the Finance Department to trust other people with the spending of the tax-payers' money; as a rule, no Government has full control over the spending of tax-payers' money. In England and most of our colonies, and in most European States, there is Parliamentary control?—There is, and the control here ought to be maintained, but each grade of officer ought to have certain powers; the spending depends on the rules as to who is to have the spending and sanctioning power. It is a question of degree; it is a question of how far the Government could go in giving sanctioning power. I think at present it is much too centralized, and it might well be entrusted to lower officials than it is by the present rules.

42434. But, speaking generally, I suppose you would admit the necessity for some outside control such as in England is exercised by the House of Commons?—Certainly, on broad questions.

42435. We have had a certain amount of evidence about the grievances of the Local Governments, that their schemes are blocked and have to be modified, and that sometimes they have to wait until some other province comes up to support them. Is that a tithe, do you think, of what they would suffer if they were responsible to a Parliament?—Probably not.

42436. In fact it might happen that they would occasionally be ejected from office altogether?—Quite possibly, but we might improve the present state of things, although we are better off than some people are.

42437. Do you not think that a Local Government here in India has really very large powers in spite of its having to go up (possibly unnecessarily) in many cases to an outside authority?—Quite so, its powers are very large, but they might safely be enlarged still further.

42438. (Mr. Hitchens.) Are you a member of the Legislative Council of the Punjab?—Yes.

42439. Has that body no power at all with regard to budget matters?—It has no power at all.

42440. Does it in practice exercise any influence on Government as regards budget matters?—No, none at all; the budget is not brought before them.

42441. They do not discuss it at all?—Not in this province.

42442. I understand, broadly speaking, you are content with the present financial relations with the Government of India, but you say you would give the provincial Government the same financial powers with regard to divided heads; apart from that, do you think the general position is satisfactory?—There is a suggestion I should like to put forward. We find that there is a very great difference in the amount of money available from year to year for expenditure; in a good year every thing goes right, but in a bad year, like the present, we cut down all round, and that means a sudden rush of expenditure and then a sudden retrenchment; it would be very much more satisfactory and economical if we could attain something like an even amount of spending power in good and bad years alike, and one means of attaining that might be by encouraging Local Governments to build up a much larger reserve in good years, the Government of India giving them  $\frac{3}{4}$  per cent. interest on their balances. I understand if a Local Government saves a crore of rupees it saves the Government of India  $\frac{3}{4}$  per cent. on that amount for the time being, then why should not the Local Government be credited with that, and why, in a bad year, should not the Local Government be allowed to overdraw and make repayment in a good year, so that there would be a more equitable standard of expenditure in good and bad years? More especially is it important in a year of drought and want of employment that the Government should not cut down its ordinary expenditure. In a year like this we ought to be spending more than in a good year in the way of giving employment to the people, and it would be more economical and more satisfactory in every way.

42443. It appears to you somewhat inequitable that a thrifty and frugal Government which manages to put by a large balance against a rainy day should get nothing for it?—I think it is.

42444. And it would be fairer all round if interest was given on the balances, whatever they were?—I think so.

42445. In what respect have the provincial Governments not the same powers with regard to shared heads of expenditure?—I understand they have not the same powers to sanction expenditure under shared heads as they have under provincial heads.

42446. Would you be perfectly satisfied in regard to your financial relations with the Government of India if you had the same powers in that respect?—Yes.

42447. Apart from the question of financial control, you are of opinion that the Government of India exercises too great a control in matters of detail whether financial or otherwise?—It is very often the case that they are compelled to do so by the codes and rules and Acts, and I daresay they might be very glad to be relieved of the duty.



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42448. I understand you would like to substitute the "control" of the Government of India for the "sanction" of the Government of India?—I should in very many cases.

42449. Do you think it would work if, as a general principle, it were laid down that the acts of the provincial Governments were to be subject to the control of the Government of India rather than subject to the previous sanction of the Government of India?—That would be an advantage. Might I explain, from my experience of the Government of India, that there are three degrees of control exercised by them over the Local Governments. In the first place, there is a form of control which is hardly used at all. We send up copies of the proceedings of the Local Governments, and the Secretaries and Under-Secretaries are supposed to look over them and see if there is anything to which attention should be called, but it is very seldom indeed that any interference with the Local Government takes place in consequence of this scrutiny. Then the second degree is where a Local Government is required to submit, for the information of the Government of India, its orders on some particular point, the sanction of the Government of India not being required. The department of the Government of India is supposed to go through it carefully and see that the orders of the Local Government are in accordance with the principles laid down, but they are not required to approve of everything that is done. Then there is the third form of control when a thing comes up for the sanction of the Government of India; the Government of India are supposed to make themselves responsible for what is done by the Local Government, and it has to be gone into very carefully, and the Government of India may require the Local Government to reconsider it. If an Act which at present requires the sanction of the Government of India before a notification is issued is turned into "subject to the control of the Government of India," then the Government of India will probably require any such notification to be sent up for its information only, and will not interfere unless it sees something very wrong.

42450. Even if it does, it will not probably interfere with each individual detail, but will be content with calling attention to general principles and insisting that they should be carried out?—Quite so.

42451. Some people think, if you give Local Governments power to carry out the principles laid down that they may make them of no effect by their detailed action, and that that would be an insuperable objection to giving them the responsibility; do you think that is an insuperable objection?—No; because the Government of India would still watch the action of the Local Government, and be prepared to interfere if it found the principle was being infringed.

42452. To take a specific example, some people hold the view, I gather, that in regard to local self-government the spirit of Lord Ripon's policy has been broken from start to finish by the Punjab Government; whether that were actually so or not, would it necessarily follow, even if it had been so broken, that the principle of leaving the policy to be carried out by the provincial Government was wrong?—The Government of India were in a position to see what the Punjab Government was doing, and if they thought the Punjab Government were not carrying out what was intended, they could pull them up and insist on their carrying out the principles laid down.

42453. It would be open to the Government of India, if they thought the principles were not being carried out, to say wherein they thought the Government of the Punjab might amend its policy?—Yes.

42454. That is one alternative; is another that they should have sent up each individual item in connection with that policy for the previous sanction of the Government of India; would that be practicable?—It was done at the time.

42455. Did it break down?—No. In a great many details the Punjab Government got the approval of the Government of India before it issued its orders under that Act to carry out the policy.

42456. Do you mean that the detailed Acts which the Punjab Government did, such as the retention of the 20 per cent. to District Board Funds, was done after consultation with the Government of India?—Certainly.

42457. I understand you are in favour of a Commissioner's budget?—Yes.

42458. What is the particular advantage to be reaped from that?—At present the Local Government, with the consent of the Government of India, have delegated powers to Commissioners to make temporary appointments, but a Commissioner has no money at his disposal if he wants to create a temporary appointment.

42459. It is one thing to give Commissioners a certain sum in order that they may entertain a temporary establishment, or provide for certain contingencies of a specified nature, but it is quite another thing to give them a budget including Public Works and education, and it was that kind of budget I understand you were in favour of?—I have not thought out the details, but instead of the Commissioner having to go to Government or the Financial Commissioner for any money he wants, he should be given as large a sum as can be made available under certain heads with power to transfer from one head to another subject to ordinary rules within his division. We have arranged now that Commissioners shall be given a sum of money to spend upon small repairs to revenue buildings, &c., where formerly he had to go to the Financial Commissioner, and we propose to give him a certain amount every year, to be at his disposal for petty repairs.

42460. Are you prepared to go as far as to say that he should have a specified sum allotted to him to spend on minor Public Works which have not been foreseen at the time the budget was prepared?—Yes: and even those which have been foreseen if they are of a petty nature.

42461. Are you prepared to go any further?—I would mention a suggestion which the Punjab Government put forward that they should be given a considerable sum to be spent, apart altogether from rules and audit, on rewards and entertainments for instance.

42462. You would not make up the provincial budget by divisions, making each Commissioner responsible for the total allocation in his division?—Not for everything.

42463. In regard to Public Works, ought the Commissioner to be able to control the Superintending Engineers and Executive Engineers of a district?—No; he ought not to be able to control them; my suggestion is, in the case of any large Public Work affecting his division the Superintending Engineer should be required to get the Commissioner's counter-signature, and if the Commissioner did not agree with him it should be referred to a higher authority; the initial responsibility for the work would rest with the Public Works Department.

42464. Would you agree that unless you give a man, such as a Superintending Engineer, a substantial amount of responsibility you will not be able to get good men?—Quite so; he ought to have the responsibility in the matter.

42465. In the same way, supposing an Executive Engineer and Deputy Commissioner disagreed about a certain point, the matter might go to the Commissioner for settlement in conjunction with the Superintending Engineer, and if they agreed, the matter might be settled then and there?—Yes.

42466. So that you would not give them the power of overruling the Public Works Department?—No; the power of requiring it to be referred to a higher authority is as far as I should be prepared to go.

42467. In practice, if that were done, is it likely that there would be very much friction?—Very little I should think.

42468. Given two reasonable men should there be none at all?—Very little indeed I should think.

42469. I suppose full attention would be paid to anything the Commissioner might say?—Yes; but the present system is that he is not responsible, and therefore he is more or less ignored, or not consulted.

42470. Some people say that a Commissioner knows a great deal more about requirements as to roads and irrigation works than experts of the Government do; would you endorse that view?—It depends on the individual man and how long he has been in a particular district. I think the Deputy Commissioner and Commissioner look at things from a broader point of view than the departmental officer does; the Superintending Engineer would take a different point of view



owing to his position in a department and his greater interest in one particular subject, and the Deputy Commissioner and Commissioner having a very much broader sphere of interest are likely to take a broader view of the advantages and disadvantages of a particular project than any departmental officer would.

42471. Have you ever in actual practice had to discuss whether road A or road B should be metalled first?—Yes.

42472. In that case is it open to the Public Works Department to make the first recommendation?—It is usually discussed demi-officially first.

42473. Suppose the Executive Engineer says that the traffic is so and so over road A, and over road B it is so much less, and he is in favour of road A, does he give his reasons?—Yes.

42474. And, I suppose, he is likely, from the nature of the work and the people under him, to have a very shrewd idea as to what is best?—Yes: his opinion is very valuable.

42475. So that one could not make a broad statement to the effect that a Deputy Commissioner is more likely to know which road is wanted than an Executive Engineer?—No; both points of view should be represented.

42476. (*Mr. Dutt.*) You have told us that in your opinion the Government of India should not insist on its views being carried out against the opinion of the Local Government unless in matters of real importance, but is that not exactly what is done now, and does not the Government of India leave matters to Local Government, and only interfere in matters of importance?—It is usually so, but I have known cases where the Government of India insisted on its views being carried out in matters of no real importance.

42477. In the same way you say that you would allow provincial Governments to develop their administration on their own lines, adopting or not, at their discretion, suggestions of reform brought to their notice from other provinces; I suppose in really important matters you would allow the Government of India to interfere, but in all other matters you would allow the provincial Government to act on their own discretion?—That is my position.

42478. With regard to the general act of delegation, you have said that when the Government of India delegates its powers by a general Act, a list should be appended of the powers which *should not* be delegated?—That is my suggestion.

42479. Would it not be more satisfactory to the people at large if a list were appended showing the powers which *were* delegated. If the public knew exactly from a list appended to the Act the powers which were delegated, would it not be more satisfactory, specially to laymen?—Yes, I think it would, but it would mean more trouble.

42480. Of course the Government would have to take more trouble in giving the information to the people, but you would not have any objection to it?—No.

42481. With regard to appeals you have said that every officer of Government ought to have one appeal?—Yes, I should like to modify that if I may. I think there are two principles with regard to appeals, one is that an officer should have a single appeal; another is that both at the top and at the bottom the authority which has power to appoint a man should have power to dismiss him, and although as a general rule, I would lay down that every servant dismissed should have an appeal to one officer above the officer dismissing him, it should not apply to an officer appointed and dismissed by the Local Government, and it should not also apply to petty subordinates who should have no appeal from the order of the Deputy Commissioner.

42482. So that in a case of an officer appointed by the Local Government you would allow him no appeal from an order of dismissal passed by the Local Government?—I would not.

42483. And the result would be that a highly paid Extra Assistant Commissioner would not have the right which all humbler officers possess?—That is to say, he would have no right to go beyond the Local Government, because I think the Local Government ought to be trusted to do what is right and just, and

it would not dismiss a high official like that without extremely careful inquiry and consultation. The enquiry which would be made by a Local Government would be quite sufficient to make all honest and respectable servants, however high they may be, who have been appointed by the Local Government feel secure in their positions.

42484. In the Punjab, and in Bengal and several other provinces the Local Government means one man?—Yes.

42485. Although the advice of officers is taken, the final order is passed on the authority of one man who may or may not agree with his advisers, and it is possible to conceive that one man may blunder?—Yes.

42486. In that case would you not allow a man to appeal from the blunder?—I would not allow him a right of appeal; if a man is given a right of appeal, I think it is the duty of the Government of India to go thoroughly into the question.

42487. You are aware that the right of appeal is very much cherished, and probably too much cherished, in this country, and that any restriction would be unpopular?—It would be with certain classes no doubt.

42488. Do you not think, if there is a strong popular feeling, the Government should respect it even at the cost of some administrative inconvenience?—There again it is a question of degree. I think the authority of the Local Government and the security it gives is so great that I would disregard the unpopularity and give the Local Government more power.

42489. Do you think the Government of India is always likely to help dishonest subordinates by reinstating them when the Local Government has dismissed them?—It has happened in cases I know.

42490. At any rate your opinion is that you would brush aside the public feeling on this matter if it exists?—Yes; I think the great majority of the Provincial Service men would not feel strongly affected by the change.

42491. What is the liability of District Boards with regard to famine relief measures; is it a liability imposed by the Act, or by rules framed under the Act?—I am afraid I cannot answer that question, as I have no recent knowledge of the subject.

42492. Probably the whole income of a Board might be spent, and it would not be sufficient for famine relief operations; to what extent are they bound to spend money, and who decides what proportion is to be spent?—It is the whole.

42493. Surely they would not close their schools and dispensaries if they had any?—I mean the whole available surplus.

42494. Who makes the list of *darbaris* in this province?—The Lieutenant-Governor.

42495. Who makes the lists of the *kursi nashins*?—The Commissioner.

42496. *Kursi nashin* means a man who sits on a chair?—Yes. It is considered an honour to be given a chair to sit on instead of having to stand.

42497. But does that mean that any other gentleman who comes to see the Deputy Commissioner is not allowed a chair, if he is not on the list?—It is a question of a matter of favour, not of right.

42498. Is this rule peculiar to the Punjab?—I should have thought it prevailed to a certain extent in the United Provinces.

42499. Because in Bengal any man of position who calls to see the Collector is allowed a chair as a matter of course, and no one enquires whether he is a *kursi nashin* or not?—In the Punjab district the distinction is carefully kept up, and it is considered an honour to have a right to a chair, and it is much cherished.

42500. But, as a matter of practice, when other people go to see the Deputy Commissioner, are enquiries made as to whether they have a right to sit on a chair, or are chairs provided, as a matter of course, if they are men of position?—Very often if you offer a man a chair he will say: "Thank you, I am not entitled to it; I will sit on the ground."

42501. Do you not think the operation of that rule creates unpopularity?—Of course everybody would like to have a chair.

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J. Wilson.

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42502. If a man of position and ability came to see an official would it not be a want of courtesy not to offer him a chair?—I think not, because it is an understood rule. I think many people in the province would prefer to have the rule done away with, but the majority of them understand it and appreciate it.

42503. Do you think the rule should be insisted upon?—Yes.

42504. And it does not take away from the popularity of the European officer, or the administration?—It does with some people.

42505. You have suggested an Advisory Council as an experiment in some divisions and districts, and you would have them meet once a year. Do you not think they ought to meet more often?—I should begin with once a year, and see if there was work for them.

42506. And if there was work to do, and they could give valuable advice, would you have them meet more frequently?—Yes.

42507. Supposing the members wanted to bring some matter to the notice of the Deputy Commissioner or the Commissioner, would you allow them to do so?—Yes; unless the Commissioner thought it was inadvisable to discuss it openly. I would allow the members of the Council to bring matters to his notice for debate, after giving previous notice.

42508. And you would not, for the present, think they were fit for any administrative duties or for enquiring into and reporting upon local matters?—I would give them no power at all except as an advisory consultative body.

42509. And if that succeeded you think it might lead to good results?—I think it would be useful in order to enable the Commissioner to sound the feelings of the people and communicate to the people the views of Government.

42510. (*Sir Frederic Lely.*) I should like to state a case, and ask you if it is a fair one to draw an inference from. Supposing a Government institution wanted to buy, say, for instance, for a jail, five maunds of grain; the Superintendent supplies the abstract contingent bill, and after that gives a detailed contingent bill, and a receipt from the vendor is attached; then it is sent up to the Inspector-General of Jails, who is 300 or 400 miles away; he countersigns it and on his countersignature the central audit office passes it—is that correct?—Yes.

42511. Of what value is the Inspector-General's signature, and of what value is the central audit acceptance under such circumstances?—The countersignature of the Inspector-General, even though he may not himself go through the bill carefully, ought to show that it has been thoroughly checked in his office, and that everything is in accordance with the rules.

42512. But any comparison with the actual facts is absolutely out of the question?—Yes; that is so.

42513. It is merely a test of arithmetical accuracy and budget accuracy?—Yes, and compliance with the rules.

42514. Would not Government money be saved by an occasional scrutiny on the spot, instead of having all this signing and countersigning?—Yes; we have extended in the Punjab the system of local audit which I believe to be a very great improvement.

42515. The Collector is the only man who has at his command an officer able to make an expert scrutiny, both from an administrative and a financial point of view. Supposing the Collector suggested that his Treasury Officer, for instance, should pay a surprise visit and make an examination as to how things were going on, would it be rejected with contempt?—No; we do have local inspections. Of course the Collector and Commissioner check the sub-treasury accounts.

42516. I am speaking of the jail or any other outside department; do they not consider themselves absolutely aloof from the Collector, as much so as if they were in German territory?—The Deputy Commissioner has to inspect the jail once a week, and I suppose if the Inspector-General wrote and said, "I think there is something wrong with the accounts of the jail," he would look into it.

42517. But a Collector has absolutely no power to take notice of any suspected frauds in another department?—No; I suppose he has not; that is left to the Controlling Officer of that department.

42518. Although it may be suspected in a district that systematic frauds are being carried on?—If the Collector come to hear of it and believed it, he would call the attention of the responsible officer to it.

42519. He would absolutely have no power to initiate any scrutiny himself?—I should think not.

(*The witness withdrew.*)

Adjourned.

APPENDICES.

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- I.—Memorandum showing the organization of the Local Administration in Baluchistan, filed by Mr. A. Williams, Financial Commissioner.
- II.—Suggestions of the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan on the subject of decentralization.
- III.—Suggestions of the Local Administration in the North-West Frontier Province on the subject of decentralization.
- IV.—Brief summary of the organization of Government in the Punjab, filed by the Hon. Mr. Maclagan, Chief Secretary.
- V.—Letter No. 1072, Revenue—General, dated the 26th November 1907, from the Chief Secretary to the Government of the Punjab containing the views of the Local Government on the subject of decentralization.
- VI.—Letter No. 695, Financial, dated the 19th March 1908, from the Chief Secretary to the Government of the Punjab containing certain detailed proposals of the Local Government on the subject of decentralization.

## BALUCHISTAN.

### APPENDIX I.

#### *Summary of the organization of Government in Baluchistan.*

The province of Baluchistan, with an area of 132,315 square miles, comprises (1) British Baluchistan, (2) the Agency territories, and (3) the Native States and the Tribal area. British Baluchistan includes the *tahsils* of Sharig, Sibi, Duki Pishin with Shorarud and the Chaman sub-division. The Agency territories include the Quetta and Nasirabad *tahsils* and the Bolan Pass, all of which have been leased from the Khan of Kalat, with certain portions of the railway line, the Zhob Agency and the Loralai Agency, excluding the Duki *tahsil*. To these may be added Nushki, Chagai and the Western Sinjerani country which are treated as Agency territories for administrative purposes.

The Head of the Administration is the Agent to the Governor-General and Chief Commissioner. He exercises judicial powers under the Frontier Crimes Regulation and also the powers of a High Court with regard to references under \*Chapter XXVII of the Code of Criminal Procedure. In financial and other matters he is, so far as provincial funds are concerned, vested with powers of a Local Government. He is, moreover, Inspector-General of Police. His Secretariat staff consists of three (in practice ordinarily two) Assistants belonging to the Political Department, and a native Assistant of the rank of an Extra-Assistant Commissioner. The other members of his staff are the Secretary in the Public Works Department, who is the Officer Commanding Royal Engineers, Quetta Division, and the Agency Surgeon, who is also the Administrative Medical Officer.

Besides controlling the civil works, which are mostly carried out by the Military Works Services as contribution works, the Secretary in the Public Works Department also superintends the mining operations, and the irrigation works which are directly in charge of an Irrigation Officer.

The Agency Surgeon and Administrative Medical Officer is the Head of the provincial Medical Department. There is a Civil Surgeon of the Indian Medical Department at Quetta, while military Medical Officers perform the duties of Civil Surgeons at garrison stations elsewhere.

As Inspector-General of Police, the Agent to the Governor-General has under him a Superintendent of Police for the Quetta-Pishin and Sibi districts; the police force elsewhere is relatively small, and is divided according to districts under the charge of an Assistant or Deputy Superintendent.

The Settlement Department is directly managed by an Extra-Assistant Commissioner, a settlement tahsildar and two settlement naib-tahsildars.

The Civil Surgeon, Quetta, is *ex-officio* Superintendent of the jail. At other jails and subsidiary jails the Extra-Assistant Commissioners and tahsildars generally perform the duties of Superintendents.

The Veterinary Department is under a Superintendent who holds the combined charge of Sind, Baluchistan and Rajputana.

The Political Agency or district is the unit of administration. Each district is divided into *tahsils* of which one or more constitute a sub-division. There are six such units, *i.e.*, the districts or agencies, as the case may be, of Quetta-Pishin, Sibi, Loralai, Kalat, Zhob and Chagai. Each district or agency is under a Political Agent who is also Deputy Commissioner for such portions of it as form part of British India. He

is the Collector, District and Sessions Judge and the administrative Head of his charge. He is also Registrar of Births, Deaths and Marriages and for the purpose of the Registration Act, and the Controlling Officer of the local funds in his district; in Quetta he is the *ex-officio* Chairman of the municipality. Assistant Political Agents and Extra-Assistant Commissioners or native Assistants are in charge of sub-divisions, supervise the collection of revenue, exercise civil and criminal powers, and are generally the administrators of local funds under the Political Agents. Each *tahsil* is in charge of a tahsildar who has a naib-tahsildar (occasionally two naib-tahsildars) under him. There are also *sub-tahsils* in charge of naib-tahsildars. These officials are primarily responsible for the collection of the revenue and also exercise judicial powers. A *tahsil* or *sub-tahsil* is divided into patwari's circles. The patwari is charged with the maintenance of settlement, crop and other records, supervises the maintenance of sources of irrigation, and the collection and punctual payment of the revenue demand.

In Quetta there is a Cantonment Magistrate with an Assistant Cantonment Magistrate; a Staff Officer performs the same duties in Loralai. There are Munsifs at Quetta and Sibi.

District Officers are *ex-officio* Registrars of Births, Deaths and Marriages within their respective charges. Besides these there are five Ministers of religion who are also Registrars of Births, Deaths and Marriages throughout the province in respect of the communities to which they respectively minister. The number of Christian population (European and native) of all denominations was 4,026, according to the last census.

District Officers are *ex-officio* Registrars. The number of sub-registrars is 19, and of joint sub-registrars three.

There are seven main Excluded Local Funds. Their income is of a municipal nature and is devoted to objects of public utility, such as education, conservancy and local works. The average income and expenditure of these funds for the three years ending with the 31st March 1907 were Rs. 1,22,936 and Rs. 1,13,458 respectively. The accounts are governed by rule issued by the Government of India and are audited by the Comptroller, India Treasuries. The sources of income and purposes of expenditure are laid down. Within the object of the funds the Revenue Commissioner, who exercises the powers of a Local Government, is competent to sanction all expenditure. District Officers are Controlling Officers, and as such are empowered to sanction re-appropriations within the budget allotments. The Administrators of the Funds, generally the Sub-Divisional Officers, can incur charges within the limits of the annual budget sanctioned by the Local Government or as modified by re-appropriations sanctioned by the Controlling Officer.

The Revenue Commissioner is in charge of the general control of forest administration, which is directly managed by an officer of the Provincial Forest Service, deputed from the Punjab, throughout the province except in the Zhob Agency, where the Political Agent looks after forest affairs with the advice of the forest officer noted above. There are 35 reserved tracts, including two plantations comprising an area of 280 square miles. Twenty-two trees of various kinds have been declared as reserved trees outside the reserved areas on Government waste lands. The average yearly revenue and expenditure for the three years ending 30th June 1907 were Rs. 21,791 and Rs. 25,776 respectively.

\*Confirmation of sentences of death.

The Education Department is in charge of an Inspector-General appointed jointly for the Frontier Province and Baluchistan under the general control of the Revenue Commissioner. The Inspector-General has a personal assistant whose headquarters are at Quetta. He also performs the functions of a district inspector. Secondary education is represented by one

entrance and one Anglo-Vernacular middle school. The number of primary schools was 27 on the 31st March 1907, and the number of scholars 1,544. This number includes two European schools and six female schools. The expenditure for the last official year amounted to Rs. 34,441. The number of *Mullahs* giving religious instruction was 38.

## APPENDIX II.

### *Suggestions of the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan on the subject of Decentralization.*

I do not think that generally speaking larger financial powers can be given to the Local Government of Baluchistan owing to the important fact that the revenues of the province are quite insufficient for the administration, and have, consequently, to be supplemented largely from imperial revenues. As a matter of fact, the revenues of the province for the last year amounted to only Rs. 13 *lakhs*, while the expenditure came to about Rs. 32½ *lakhs*. In such circumstances, the Local Government fully realise that they cannot fairly ask for any material enlargement in their financial powers, and it would equally be absurd to ask that they should be given borrowing powers.

At the same time there are certain details in the financial relations between the Imperial and Local Governments which might very conveniently be altered, and I attach a list (Statement I.) which indicates in detail the amendments which are considered necessary. It is, perhaps, unnecessary to justify them in detail here, but the greatest importance is attached to the suggestion that the Local Government should be allowed to frame its own budget without having it revised in all its details by the Comptroller, India Treasuries, provided that at the same time precautions are taken to prevent the Local Government from taking an unfair advantage of the liberty thus accorded it. The matter would be less acute if the Comptroller, India Treasuries, observed the provisions of Article 153, Civil Account Code, but I am unable to trace a single instance in which he has ever consulted the Local Government before effecting changes in our budget. To give a single instance of the sort of things complained of in the budget for 1905-06, he reduced our estimate of travelling allowance by Rs. 6,100, professedly basing his estimates on actuals, and meaning, no doubt, the actuals of the previous three years. Within those three years, however, the figure at which travelling allowance expenditure should be pitched had been affected by the institution of settlement operations in Nasirabad, the constitution of Loralai into a separate district, and the creation of two sub-divisions, all of which tended to raise the expenditure on travelling allowance. Of course the money had to be found, and had to be found by more or less inconvenient re-appropriations. In the next year (1906-07) he eliminated from our budget items of absolutely indispensable expenditure to the amount of about Rs. 30,000, and if we had acted in strict accordance with financial rules we should have been compelled to drop the settlement proceedings in Nasirabad when they were only half completed. Less inconvenient, but not perhaps less harassing, are the petty alterations made by the Comptroller, India Treasuries, some instances of which are given below :—

Rs. 20	cut down	out of	Rs. 29,390
" 50	do.	"	19,600
" 50	do.	"	2,920
" 40	do.	"	110
" 50	do.	"	70
" 250	do.	"	500
" 200	do.	"	350

The terms of our quasi-provincial settlement have recently been altered, and instead of having to meet all increased expenditure from increased revenues, we are now liable to meet one half. Even this, however, is not really satisfactory. The Government of India do not sufficiently realise that the total population in British Baluchistan and the administered territories is less than half a million, and that almost entirely

practically made up of the poorer and cultivating classes. There are practically no industries capable of development; our mineral resources are small; and we have no large rivers by means of which irrigation can be extended. Thus, as our prospects of increased revenues are practically *nil*, it is immaterial whether we have to look to them to find the whole or the half of increased expenditure. It should be understood in these circumstances that any new expenditure incurred under the orders of the Government of India and not reasonably in contemplation at the time of the provincial settlement should be met by special assignments. An instance from the past is the case of the Gazetteer, the preparation of which was imposed upon us by the Government of India as a provincial charge. The expenditure came to about Rs. 3 *lakhs*, and until the Government of India came to the rescue it completely disordered our finances.

A few instances of cases in which restrictions as to details imposed upon Local Government by law might be relaxed, and also of restrictions as to details imposed by executive orders, have been included in the annexed statement. The number of them is so small that a general Act of delegation seems unnecessary.

The influence of the departments of the Government of India appears to be distinctly in the direction of excessive rigidity or uniformity, as appears from the following instances :—

- (1) The excise revenue of the province (of which the general population are total abstainers) is a trifle over a *lakh* of rupees, of which between 80 and 90 thousand rupees come from Quetta-Pishin and practically the whole of that from the Quetta city and cantonment, the revenue of the rest of the province being 20 thousand rupees. Yet a complex system of excise administration, suitable no doubt to advanced provinces in British India, is being thrust upon this province.
- (2) The population of a large portion of Baluchistan are extremely fond of local earth salt obtainable at Mamal in the Nasirabad *tahsil*, and, on the other hand, they object to the Maurypur salt extracted from sea brine as bitter and unwholesome. On the application of the Sind authorities the Government of India have condemned the Mamal salt as unwholesome without any enquiry, and closed the works there, forcing the local population to have recourse to foreign salt.
- (3) Similarly without enquiry the Government of India, acting on the principle that a separate Railway Police force is unnecessary in the case of provinces which contain only short lines running in from outside, directed the transfer of the whole or a part of the Baluchistan lines to the jurisdiction of the Bombay Government. This order was subsequently cancelled.
- (4) There is in Baluchistan a considerable manufacture of briquettes from coal dust, and a recommendation was made that in order to prevent untrifling mining a royalty of one anna a ton should be placed upon coal dust. This was negatived by the Government of India as contrary to principle, with the consequence that honest mining in coal is discouraged.
- (5) We have addressed the Government of India asking that the Treasury Officer of Quetta

might be empowered under the rules issued under the Stamp Act to affix and impress labels on documents. The request was refused by the Government of India apparently on grounds of uniformity.

I do not think it can be said that the Government of India is too much dominated by considerations of revenue. Indeed, as regards the development of the salt industry and the royalty on coal and the orders about the Treasury Officer, the tendency has been to prevent an enhancement of revenue. It is, however, the case that any enhancement of revenue that might have accrued would have gone to benefit the provincial finances and not imperial.

The proper sphere of work of Directors and Inspectors-General under the Government of India dealing with departments which are primarily administered by Local Governments should, I consider, be one of advice, assistance, encouragement, and when necessary of criticism, in matters relating to those departments. Under no circumstances whatever should they take action of an administrative or executive nature within the limits of the jurisdiction of a Local Government without the concurrence and knowledge of that Local Government. This remark applies equally to Directors and Inspectors-General under the Government of India who, while not actually dealing with departments primarily administered by Local Governments, yet deal with branches of work which fall within the recognized duties of Local Governments. I recently had cause of serious complaint in regard to the manner in which the Director of Criminal Intelligence was taking independent action in this province without my knowledge, and was thereby seriously hampering the work of the police and other Criminal Investigation agencies of the province, for which I alone am responsible.

Generally speaking, administrative reforms effected in recent years have been due to the initiative of the provincial Government, particularly those which have relation to the remodelling of administrative charges and to the appointment of officers in charge of specialised Departments such as Education, Irrigation and Arboriculture. The only reform initiated by the Government of India lately in this province is that effected in regard to police in consequence of the Police Commission. As regards suggestions relating to development of this Administration on its own lines, it is probable that this Administration will generally be found following the lines of administration in force in the Punjab and the North-West Frontier Province as we recruit our Native Officers largely from there, while those Political Officers who are recruited from the Army generally go through a probationary course in one or the other of those provinces.

I do not think that the right of appeal to the Government of India in respect of administrative action should be curtailed, nor that a certificate from the authority passing the order appealed against should be required.

Neither would I curtail the right of appeal to Government now granted to officers of Government against orders affecting them personally.

I am of opinion that the demand for returns and information from this Local Government has increased of recent years. As regards demand for information it is perhaps a little difficult to prove this statistically. But it not infrequently occurs that information is called for from this Local Government in circumstances which a little consideration on the part of the Government of India would have shown them had no relation to this province. Thus in 1905 I was asked to report the procedure actually followed here in dealing with Treasure Trove coins, the Treasure Trove Act not being in force at the time. In 1907 I was consulted as to the improvement of the existing methods of collecting wage statistics, while in fact there is practically no wage-earning population in the province. I am also asked to express an opinion as to the advisability of amending Acts which are not in force in this province.

As regards returns, however, it is I think easy to demonstrate that they have increased. In consequence of the instructions issued by Lord Curzon's Government in 1901, six returns due from the Local Government to the Government of India were abolished, but since then I have been called upon to submit 15 others, which are either wholly or in part new. Several of the new returns are due to the institution of the

Statistical Bureau and the appointment of the Director-General of Commercial Intelligence, and I shall be surprised if the returns required by this officer do not show considerable tendency to increase as time goes on. It is difficult for a Local Government to say exactly how far the increase is due to the requirements by the Government of India and the Secretary of State respectively.

My proposals relating to the extended powers regarding matters relating to revenue and general administration which might be given to officers subordinate to the Local Government are included in the enclosed Statement II., and as they are mostly matters of detail, I do not propose to refer further to them here. It will be observed that all these proposals require the intervention of the Government of India to give effect to them. I may, however, mention here that, with reference to the coming of this Commission, I have considered the question of delegating further powers to subordinate officers in the province as regards matters which are within the competence of the Local Government to deal with, and the relaxations of previous orders to which I have found it possible to agree, are set forth in a further Statement III. Their issue will not only increase the powers entrusted to subordinate officers but will also obviate the necessity of a very considerable amount of correspondence. As these orders has been issued in consequence of the appointment of this Commission, I have thought it well to include them in this statement as being one result of its appointment.

As regards the control of Collectors over civil works under Civil Officers, up to quite recently they had only control over works costing not more than Rs. 200. I have recently raised this figure to Rs. 500 and do not propose to raise it further, at any rate for the present.

I submit a further Statement IV. indicating in detail the delegation of powers which I recommend should be permitted to the Revenue Commissioner and other subordinate authorities under the Civil Service Regulations and the Civil Account Code. They appear to be mostly matters of detail and do not call for justification here.

I would not curtail the right of appeal to the Local Government now granted in respect of administrative action, nor do I think it desirable to lay down that such appeals should be accompanied by certificates from the authorities passing the order appealed against. Nor would I curtail the right of appeal to the Local Government now granted to officers of Government against orders affecting them personally.

Some Political Agents no doubt are of opinion that there is too much rigidity and uniformity in the administration. The only definite instances, however, which have been brought forward are firstly, in connection with the powers of Civil Officers of districts as regards civil works; and secondly, as to their powers regarding the purchase of furniture. As regards both these instances, relaxations have been either proposed or carried out before these suggestions were received. It may be added that the most strenuous protest comes from a district as regards which it has been necessary to comment on heavy expenditure being incurred at the end of the financial year; and the tendency of officers to resort to somewhat extravagant expenditure at that stage of the year in order to prevent funds lapsing is a well-known form of human frailty.

Generally speaking, District Officers have sufficient opportunities for personal contact with the people, with the exception of the case of Quetta-Pishin, where officers are a good deal detained at headquarters with municipal and judicial work, and it is desirable that, if possible, the Political Agent of Quetta-Pishin, at any rate, should be relieved of his judicial work. District Officers in Baluchistan have, I consider, on the whole, much more personal contact with the people than is the case in most parts of India.

As a rule, Executive Officers possess sufficient knowledge of vernaculars, although Baluchistan is somewhat exceptional in possessing a great variety of languages distributed among an extremely small population. For instance, in Sibi *cum* Nasirabad, the population including the Marri-Bugti and other tribal country only amounts to about 1,32,354 persons, which probably means that there are about 33,000 heads of families. In this area, however, there are seven different languages spoken, *viz.*, Pashtu, Urdu, Baluchi, Brahui, Jatki, Sindi and a little Punjabi.



It would be a great advance on present arrangements if we could always rely upon the sanctioned administrative staff being always given to the province; but as a matter of fact it is scarcely ever the case that all the districts in the province have their proper complement of British Officers, some district or other being practically always deprived of its Assistant Political Agent, while the post of the much-needed third Assistant to the Agent to the Governor-General is nearly always left vacant. It is desirable that steps should be taken by which a full staff should be constantly secured to the districts, and besides the above, it is desirable that additional Assistant Political Agents should be stationed at Pishin, Hindubagh, and Barkhan. Perhaps one of the most striking instances of inconvenience within recent years of the province being left shorthanded is the case when Major Macdonald, Political Agent, Sibi, in 1906-07, had to spend about three months continuously in the Marri-Bugti tribal area under his control, and actually outside his district, without a single British District Officer being present in the district proper.

No general reduction in the area of district charges is necessary as the districts have only recently been rearranged, and although the areas are large the population is, as already indicated, comparatively very small.

The powers which the Revenue Commissioner and Collectors already exercise are sufficiently important to justify great care being taken in their selection. As regards the further powers with which it is proposed to entrust them, they are sufficiently on the lines of those already possessed by them to render it hardly necessary for any further precautions to be observed.

As regards Political Agents and Assistant Political Agents transfers are exceptionally frequent, the most noteworthy instance perhaps being the case of the Political Agent and Assistant Political Agent, Quetta, as regards which there were no less than twenty-seven changes of the Political Agent in the seven years 1901 to 1907, and twenty-six changes in the Assistant Political Agent. In the year 1904-05 there were no less than ten changes in the Political Agent in this district. These appointments are made by the Government of India in the Foreign Department. The present frequency of such changes would be greatly reduced if (1) the full administrative staff of British Officers sanctioned for this province were always supplied by the Government of India, together with the three additional Assistant Political Agents, and if (2) the distribution and posting of this staff within the province were left more entirely in the hands of the Local Government. Occasional changes must occur, but their bad effect on local administration would be minimized by the exercise of that personal knowledge of officers, their work and local requirements, which the Local Government naturally possesses in a greater degree than the Supreme Government.

To effect (1) would necessitate a re-organization of the Political Department, of which the present *cadre* is not strong enough to fill vacancies caused by officers being on leave, special duty and deputation. Such re-organization both on this and other grounds seems called for.

As regards Extra-Assistant Commissioners there have been very few changes. Transfers of tahsildars are more numerous, this being partly due to the fact that owing to the extremes of climate in the province there is a good deal of unhealthiness, and also because most of the officers being natives of the Punjab, leave is more frequently taken in Baluchistan than else-

where. As regards these latter changes I have no suggestions to offer.

The only local body in Baluchistan is the municipality of Quetta. I do not consider that larger powers could be granted to it or that its present functions can be suitably extended. The question of introducing legislation for smaller areas such as Sibi is now under consideration.

I am not in favour of the creation of Advisory or Administrative Councils to assist Divisional or District Officers. There is already a somewhat elaborate *jirga* system in force in this province, which in the districts, however, is mostly utilised for the disposal of judicial work, although the advice of any members of the *jirgas* and of the Sardars is always at the disposal of the Political Agent. Also twice in the year a provincial *jirga* is held under my supervision, in the winter at Sibi and in summer at Quetta, whose duties are mainly concerned with important judicial cases, but whose advice on other matters is always available for the Local Government, if required, as it not unfrequently is.

There are at present no District Boards in the province and also as already indicated there are no municipalities other than Quetta. It would, I think, be premature to institute District Boards in Baluchistan.

I think it is not desirable or possible to give village communities greater powers in the disposal of local affairs. Their assistance is already invoked to a very large extent by means of the *jirga* system in disposing of civil and criminal cases, and also through the enlistment of levies they assist materially in the policing of the province. As regards sanitary and educational matters, these do not at present excite any interest among the population generally; and as regards revenue, they have hardly developed a sufficient sense of responsibility to be entrusted with the spending of Government money.

It would be a great convenience to Local Administrations if the Government of India could be persuaded to codify the different orders which they from time to time issue by notifications or by Resolutions, and which now have to be sought for through the pages of the Gazette of India, arranging them under the different heads to which they relate. An example of such codification may be found in the Revenue Circulars issued by the Financial Commissioner in the Punjab, and when once expressed in this codified form they could easily be kept up to date by the issue of *corrigenda*, as is done in the case of the Civil Service Regulations and Civil Account Code.

A second suggestion that I would offer is with reference to the practice at present in force by which, whenever any change in establishment is mooted, the existing scale of establishment has to be sent for verification to the Comptroller of Indian Treasuries, a proceeding which usually necessitates considerable delay. This procedure is probably introduced in Baluchistan because it is in force in the regular provinces in each of which there is an Accountant-General located in the same station as the Local Government, and it is consequently an obvious expedient to refer such matters to him. There seems no reason, however, why in Baluchistan the verification of the existing scale should not be made by the authority which has power to sanction the revision under consideration, and which has full information in its office for carrying out this duty.

A. H. McMAHON,  
Agent to the Governor-General,  
and Chief Commissioner.

Statement I. of certain delegations of powers proposed by the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan mainly to the Local Government in financial matters.

Nature of the power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
Power to sanction budget of revenue and expenditure partly provincial and partly imperial.	Article 153, Civil Account Code	Government of India ...	Local Government should have the power to sanction such budgets, supplying copies to the Government of India and the Comptroller, India Treasuries, for information, subject to the conditions that the total actual expenditure at the end of the term of the financial settlement should not exceed the standard totals of expenditure, except excess of which the moiety can be met from growing revenues under the terms of our settlement, and that the other terms of the settlement are observed. Any expenditure necessitated by the orders of the Government of India, and not asked for by the Local Government and not contemplated at the time of making our quasi-provincial settlement should be borne by the Government of India.	Budget relating to purely imperial revenues and expenditure should be submitted to Government of India as heretofore.
Power to create or abolish a class or grade of officers and to raise or reduce the pay of any class or grade of officers whose salary does not exceed Rs. 250 <i>per mensem</i> .	Article 76 (iii), Civil Service Regulations, and Article 283-4 (5), Civil Account Code.	Ditto ...	Local Government might have this power with respect to services which form a provincial charge.	
Power to sanction temporary appointments and deputations for not more than six months if the salary or salary and deputation allowance exceed Rs. 250 a month.	Article 78, Civil Service Regulations, and Article 283-4 (3) (b), Civil Account Code.	Local Government ...	The period might be raised to 12 months.	
Power to give an outsider appointed to officiate in an appointment carrying pay of Rs. 100 or over acting allowance in excess of half the pay.	Article 144, Civil Service Regulations.	Government of India ...	Local Government should have this power.	
Fresh grants of <i>muafis</i> at times other than revenue settlement.	Rule 1 (b) of the rules received with the Government of India, Foreign Department, letter No. 1072 E.A., dated the 28th May 1902.	Ditto ...	Local Government might have the power to sanction <i>muafis</i> up to Rs. 100 in value for life time or for the remaining term of a current settlement.	
Power to sanction continuance of <i>muafis</i> in full when the sum exceed Rs. 50.	Exception (ii) (a) of rule 2 of ditto.	Ditto ...	Local Government should have power to sanction continuance of <i>muafis</i> up to Rs. 100.	
Classification of the expenditure on account of <i>takavi</i> loans ...	Terms of the Provincial Settlement.	Ditto ...	At present expenditure on this account is imperial. It is proposed that the provincial loan system should be introduced in this province.	
Power to sanction the grant of special loans to notabilities ...	Articles 119 and 120, Civil Account Code.	Ditto ...	Local Government should have power to sanction such loans within budget provision.	
Power to assess, reduce or remit the rent of a Government building.	Article 1068 (VI), Public Works Department Code, Vol. I.	Ditto ...	Local Government should have this power.	
Power to exercise a general control over the Cantonment Fund	Sections 23, Cantonment Act XIII of 1889, and 18, Cantonment Code, 1899.	Local Government ...	General Officer Commanding should have this power subject to the control of the Quartermaster-General.	
Power to apply section 23 (1) and (2), Cantonment Code, 1899, regarding notice of discharge and resignation to Cantonment servants other than sweepers.	Section 23 (3), Cantonment Code, 1899.	Ditto ...	Ditto ditto.	
Power to sanction annual budget estimates of the Cantonment Fund.	Section 32 (5), Cantonment Code, 1899.	Ditto ...	Ditto ditto.	

Power to control re-appropriations in major heads in certain cases.	Provisos to section 33 (a) and (b), Cantonment Code, 1899.	Ditto ...	Ditto	ditto.
Power to sanction expenditure not provided for in the sanctioned estimate.	Section 30 (b), Cantonment Code, 1899.	Local Government after consultation with the General Officer Commanding.	Ditto	ditto.
Power to sanction the alienation of land other than waste, the property of the State by sale on favourable terms for a public purpose subject to payment of at least half the full market value and whenever such value does not exceed Rs. 1,000.	Resolution of the Government of India in the Department of Agriculture, Revenue and Commerce, No. 1-141-151, dated 6th February 1872.	Local Government ...	The value limit might be raised to Rs. 5,000.	
Power to sanction the alienation of Government land other than waste land, by gift or grant when the value does not exceed Rs. 3,000, for sites for schools, hospitals, etc., to be constructed at the cost of recognized local funds.	Ditto ...	Ditto ...	Ditto	ditto.
Power to sanction the alienation of Government lands other than waste lands, when the value does not exceed Rs. 500, for grants for any other public purpose or to a private individual for services to be performed to the State.	Ditto ...	Ditto ...	Ditto	ditto.
Power to sanction the alienation of Government lands other than waste lands, when the value exceeds Rs. 100, for grants made for services to be performed to the community.	Ditto ...	Ditto ...	Ditto	ditto.
First appointment of an officer as an Extra-Assistant Commissioner in a grade above the lowest.	Government of India, Foreign Department, letter No. 921-G., dated the 6th June 1899.	Agent Governor-General with the concurrence of Government of India.	The concurrence of the Government of India should not be necessary.	
Power to fix and vary the local limits of the jurisdiction of courts lower than that of the Judicial Commissioner.	Section 5 (ii) of the Baluchistan Civil Justice Regulation and Law, 1896.	Chief Commissioner and Agent to the Governor-General with the previous sanction of Governor - General in Council.	Previous sanction should not be necessary.	
Power to establish Courts of Small Causes ... ..	Section 5 (i) of the Provincial Small Causes Courts Act IX of 1887.	Local Government with the previous sanction of the Governor-General in Council.	Previous sanction should not be necessary, but the concurrence of the General Officer Commanding should be obtained in case of Cantonment area.	
Power to appoint Additional Judge of a Court of Small Causes	Section 8 (i) of the Provincial Small Causes Courts Act IX of 1887.	Ditto ...	Ditto	ditto.
Power to convene special boards of examinations ... ..	Government of India, Foreign Department, letter No. 1458-G., dated the 8th September 1899.	Government of India ...	Local Government should have power to convene whatever special boards it considers necessary.	
The selection and posting of officers on the graded list of Political Department to posts in the province.	Practice ... ..	Ditto ...	Local Government should have power of posting and it should also be consulted as far as possible when officers are posted to a province.	
Deforestation of State forests ... ..	Section 10 of the Baluchistan Forest Regulation and Law, 1890.	Ditto ...	Local Government should have this power.	

*Statement II: of certain delegations proposed by the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan to the Revenue and Judicial Commissioner and Political Agents.*

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Nature of the power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
Alienation by sale of lands the property of the State other than waste lands, at full market value where the full market value does not exceed Rs. 10,000.	Resolution No. 1-141-151, dated the 6th February 1872 by the Government of India in the Department of Agriculture, Revenue and Commerce.	The Honourable the Agent to the Governor-General in Baluchistan.	The Revenue Commissioner may be empowered to sanction sale where the full market value does not exceed Rs. 1,000.	
Alienation by gift or grant of lands the property of the State other than waste lands.	Ditto	Ditto		
(a) Where the value does not exceed Rs. 3,000 when given as a site for the construction of Government schools, hospitals, dispensaries or other public works at the cost of recognised local funds.	Ditto	Ditto	(a) The Revenue Commissioner may be empowered to sanction alienation where the value does not exceed Rs. 500.	
(b) Where the value does not exceed Rs. 500, when given for any other public purpose or to a private individual for services to be performed to the State.	Ditto	Ditto	(b) The Revenue Commissioner may be empowered to sanction alienation where the value does not exceed Rs. 500.	
(c) Where the value does not exceed Rs. 100 when the services are to be performed to the community.	Ditto	Ditto	(c) The Revenue Commissioner may be empowered to sanction alienation where the value does not exceed Rs. 500.	
Disposal of lands which have been under competent authority constituted the property of local body.	Ditto	Ditto	The Revenue Commissioner may be empowered to sanction alienation where the value does not exceed Rs. 500.	
Power to open and close roads and pathways in a State Forest	Section 6 of the Baluchistan Forest Regulation and Law, 1890.	The Honourable the Chief Commissioner and Agent to the Governor-General.	This power may be delegated to the Revenue Commissioner.	
Power to establish distilleries for country spirit	Section 6 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto as Chief Revenue Authority.		
Power to make rules as to distilleries and breweries established and licensed under sections 5 and 6 of the Excise Act.	Sections 9 and 10 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto		
Power to fix rates of warehouse dues	Section 15 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto	The Revenue Commissioner may be appointed as Chief Revenue Authority under the Act.	
Power to make rules with the previous sanction of the Local Government to regulate the grant of licenses or passes to persons desirous of possessing or transporting intoxicating drugs.	Section 20 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto		
Power to authorise any officer to grant to travelling merchants a general license for the sale of foreign spirit and foreign fermented liquor wholesale in any district which they may visit in the course of their travels without taking out a fresh license.	Section 21 (b) of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	The Honourable the Chief Commissioner and Agent to the Governor-General as Chief Revenue Authority.	The Revenue Commissioner may be appointed as Chief Revenue Authority.	

APPENDIX

Power to direct what compensation shall be paid for default of notice of Collector's intention to cancel a license of a vendor of country spirit, country fermented liquor or intoxicating drugs.	Section 23 (1) of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto	The Revenue Commissioner may be appointed as Chief Revenue Authority.
Sanction to farm fees and for farmer to grant licenses	Section 25 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto	
Sanction to cancel any farm granted under the Act	Section 26 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto	
Power to determine compensation to farmer for loss on account of any cause other than a breach of the conditions of the farm.	Section 27 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto	
Power to make rules to regulate supply of <i>tari</i> to licensed vendors.	Section 29 of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto	
Power to revise any order passed by a Collector or Commissioner.	Section 64 (2) of the Excise Act XII of 1896 as amended by the Excise (amendment) Act VII of 1906.	Ditto	
Power to make rules relating to the nature of padlocks to be used in treasuries and sub-treasuries, the precautions necessary in respect of them and the custody of their duplicate keys.	Government of India in the Finance and Commerce Department, Resolution No. 4623-A., dated 13th September 1900.	The Honourable the Agent to the Governor-General.	This power may be delegated to the Revenue Commissioner.
Countersignature of indents for stationery	Paragraph 7, page 2 of the Stationery Manual, Volume I.	Ditto	The Revenue and Judicial Commissioner may be empowered to countersign indents of his own office and of the offices* subordinate to his office. Political Agents may be given similar power as regards their own offices and the offices subordinate to them, provided they adhere to the limits laid down in the Stationery Manual as to the supply of certain specified articles and the three years' average is not exceeded. Otherwise the indents must be submitted through the Revenue Commissioner.
Countersignature of indents for rubber stamps and stamping ink.	Paragraph 5, page 8 of the Stationery Manual, Volume I.	Ditto	
Sanction to supply by the Stationery Department of instruments for punching stamps.	Revenue Commissioner's order No. 982, dated 31st March 1902, based on paragraph 8, page 9 of Stationery Manual, Volume I.	The Revenue Commissioner.	Political Agents may be authorised to sanction supply of these instruments to their own offices and to offices subordinate to them.
Grant of gratuity or subscription for pension in the case of municipal servants whose monthly pay exceeds Rs. 10.	Section 18 (1) (c) of the Quetta Municipal Law, 1896.	The Honourable the Agent to the Governor-General.	These powers may be delegated to the Revenue Commissioner.
Fixing proportion of charges to be borne by the Municipal Fund in the case of Government servants devoting a part of their service to municipal duty.	Section 18 (2) (b) of the Quetta Municipal Law, 1896.	Ditto	

- (1) \*Superintendent Jail at Quetta.
- (2) E. A. C., Forests.
- (3) E. A. C., Settlement.
- (4) Personal Assistant to Inspector-General, Education.
- (5) Superintendent of Arboriculture.
- (6) Revenue Assistant.

*Statement II. of certain delegations of powers proposed by the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan mainly to the Revenue and Judicial Commissioner and Political Agents—concluded.*

Nature of the Power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
Fixing dates and instalments for payment of taxes payable periodically. Fixing conditions for temporary occupation ... .. Approval of places fixed by the Committee beyond limits of municipality for deposit of refuse, offensive matter, etc. ... Approval of places fixed by the Committee beyond municipal limits for slaughter of animals of any specified description of animals. Fixing fees and conditions for grant of licenses for regulation of offensive and dangerous trades. Sanction to recurring charges debitable to Excluded Local Funds, not being charges on account of pay and allowances, pension, house rent or office rent (e.g., lighting contracts).	Section 27 of the Quetta Municipal Law 1896. Section 45 of the Quetta Municipal Law 1896. Section 51 of the Quetta Municipal Law 1896. Section 52 of the Quetta Municipal Law 1896. Section 76 (4) of the Quetta Municipal Law 1896. Rule 8 of Account Rules for Excluded Local Funds.	The Revenue Commissioner Ditto; ... Ditto ... Ditto ... Ditto ... Ditto ...	These powers may be delegated to the P. A. Quetta.  Political Agents as controlling officers of Excluded Local Funds may be given this power as regards payment up to 12 months provided the charge has been passed in the budget sanctioned by the Revenue Commissioner as Local Government of the Funds.	

*Statement III. of delegations of powers to officers subordinate to the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan, which are within the competence of that officer to make and to which he has agreed.*

Nature of the Power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
Power to direct what compensation shall be paid for default of notice of Collector's intention to cancel the license of a vendor of country spirit, country fermented liquor or intoxicating drugs. Controls proceedings of Collectors under the Act and hears appeals against their orders in manner provided by rules. Powers to appoint an officer to be in charge of bonded warehouse.	Section 23 (1), Excise Act XII of 1896 as amended by Excise (Amendment) Act VII of 1906. Section 64 (1) Ditto ... *Paragraph 10 of Rules issued by the Local Government under Section 19, Excise Act XII of 1896,			*Vide Chief Commissioner's notification No. 1606, dated 21st February 1902,



Determination of duties of officer in charge of bonded warehouse and of its establishment other than duties required by rules.	Paragraph 11 of Ditto ...	Commissioner of Revenue	The Revenue Commissioner exercises these powers in practice although there is no power appointing him as Commissioner of Revenue under Section 3 (1) (c) of the Excise Act. The Revenue Commissioner may be appointed as Commissioner of Revenue under the Act.
Power to order maintenance in the bonded warehouse of registers, accounts, statements and records.	Paragraph 12 of Ditto ...		
Power to issue orders as to restrictions on depositors entering, or remaining or doing any act within precincts of bonded warehouse.	Paragraph 25 of Ditto ...		
Sanction to contracts for right to sell <i>charas</i> , <i>bhang</i> and <i>ganja</i> and preparations and admixtures thereof.	†Paragraph 3 of Rules issued by the Chief Revenue Authority under section 65 of Excise Act XII of 1896.		
Sanction to forfeiture of money deposited by contractor consequent on failure to carry out conditions of contract and to resale of contract.	Paragraph 4 of Ditto ...	Local Government ...	The Revenue Commissioner has power to sanction remission of revenue up to Rs. 250. This limit might be raised to Rs. 500.
Power to direct contractor to furnish returns of sale of intoxicating drugs.	Paragraph 10 of Ditto ...		
Remission of land revenue, grazing tax and tax on water mills on account of failure of crops and calamities, when the amount exceeds Rs. 250 in each case.	Paragraph 6 of Honourable Agent to the Governor-General's order No. 10821, dated 17th December 1901.	Local Government ...	The Revenue Commissioner has power to sanction remission of revenue up to Rs. 250. This limit might be raised to Rs. 500.
Disposal of revenue grain and straw ... ..	Instructions issued by Revenue Commissioner at various times.	Revenue Commissioner ...	Political Agents may be authorised to sanction sale up to one hundred <i>maunds</i> of any sort of grain or straw. Sanction of the Revenue Commissioner to sales of quantity exceeding 100 <i>maunds</i> must be obtained.
<i>Ijaras</i> of land revenue, grazing tax and tax on water mills ...	Practice ... ..	Revenue Commissioner and Political Agents.	Political Agents sanction <i>ijaras</i> of grazing tax for one year. They have no power to sanction <i>ijaras</i> of land revenue or of tax on water mills. They may be authorised to sanction <i>ijaras</i> up to three years on the condition that the amount agreed upon does not fall short of the average of three years, excluding any which may be regarded as abnormal.
Power to deal with claims to relief when too high a court fee has been paid.	Section 19 A, Court Fees Act VII of 1870.	Honourable Agent to Governor-General and Chief Commissioner as Chief Controlling Revenue authority.	The Revenue Commissioner may be appointed as Chief Controlling Revenue Authority under the Act, for the province.
Power to deal with claims to relief when debts due from a deceased person have been paid out of his estate.	Section 19 B, Court Fees Act VII of 1870.		
Power to deal with cases in which too low a court fee has been paid.	Sections 19 E, 19 F, 19 G and 19 J Court Fees Act VII of 1870.		
Receives notice of applications for probates and letters of administration made to a High Court.	Section 19 H (2) Court Fees Act VII of 1870.		
Frames rules for the approval of the Local Government and Governor-General in Council subject to which Collectors may regulate the number of peons necessary for the service and execution of processes.	Section 23 of H (2) Court Fees Act VII of 1870.		
Approval to candidates for employment in ministerial appointments.	The Honourable the Agent to the Governor-General's Order No. 5973, dated 1st June 1901.	The Honourable the Agent to the Governor-General.	The Revenue Commissioner may be empowered to accept candidates so far as his office is concerned.

† *Vide* Honourable Agent to the Governor - General and Chief Commissioner's notifications Nos. 2533 and 2534, dated 20th March 1903.

Statement III. of delegations of powers to officers subordinate to the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan, which are within the competence of that officer to make and to which he has agreed—cont.

Nature of the power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
Delegation of power of granting leave to subordinate district establishments.	Article 84 (c) Civil Service Regulations and Honourable Agent to the Governor-General's order No. 6747, dated 24th October 1891.	Political Agents and Deputy Commissioners.	Sub-Divisional Officers may be empowered to grant leave permissible under the rules to their office establishment provided that local arrangements can be made to carry on the work.	
Sanction to printing urgent work locally at private presses ...	Paragraph 2 of Honourable Agent to the Governor-General's order No. 5209, dated 5th June 1900.	Honourable Agent to the Governor-General.	The Revenue Commissioner may be empowered to sanction this.	
Power to sanction within budget provision purchase of any article the cost of which exceeds :—	Paragraph 1 of Honourable the Agent Governor - General's order No. 5209, dated 5th June 1900.	Revenue Commissioner ...	.....	
(a) Rs. 40 in the case of articles required for the use of offices of Political Agents, Agency Surgeon, Cantonment Magistrate, Chaplain Church of England and for the offices subordinate to them.	.....	.....	(a) Limit may be raised to Rs. 100 except in the case of the Administrative Medical Officer who should have power to sanction any charge within budget provision.	
(b) Rs. 20 in the case of articles required for the use of the offices other than those mentioned above and who have their separate contingent grants.	.....	.....	(b) Ditto. ditto. Rs. 50	
Classification of contingent charges ... ..	Articles 73 and 74, Civil Account Code.	Honourable the Agent to the Governor-General.	The system known as "contract contingent system" may be introduced in lieu of that known as "countersigned contingent system." The Revenue and Judicial Commissioner, the Administrative Medical Officer, Political Agents, Extra Assistant Conservator of Forests, Treasury Officer, Quetta, and the Personal Assistant to the Inspector-General, Education should be given lump sum allotments under each major head. The grants should be based on three years' average and the arrangement should be tentative for three years, at the end of which the officers concerned should be required to report as to the working of the proposed system.	
Notifications of appointments of Assistant Surgeons and Civil Surgeons holding collateral Civil Charges.	Practice ... ..	Ditto ...	These notifications may be published above the signature of the Administrative Medical Officer.	
Arrangements for the examination in Brahui of tahsildars, munsifs, naib-tahsildars, inspectors and deputy inspectors of police.	The Honourable Agent to the Governor-General's order No. 4753, dated 20th October 1906.	Ditto ...	The Revenue Commissioner may be authorised to make these arrangements in the same way as he has been authorised as regards examination in Pashtu and Baluchi.	

Statement IV. of delegations under the Civil Service Regulations and Civil Account Code proposed by the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan.

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Serial No.	Nature of the power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
<b>I.—CIVIL SERVICE REGULATIONS.</b>					
1	Power (a) to dispense with the production of health certificate, (b) to make rules for prescribing the Medical Officer whose certificates may be accepted, (c) to accept certificate from an officer other than a medical man and in form other than the prescribed one.	Article 50.	The Hon. the Agent to the Governor-General and Chief Commissioner in Baluchistan.	This power may be delegated to the Revenue Commissioner in respect of ministerial officers.	
2	Power to admit persons whose age exceeds 25 years into the service of the State.	Article 51 and paragraph 14 of the Honourable the Agent to the Governor-General's order No. 6747, dated the 24th October 1891.		Ditto ditto.	
3	Power to sanction honoraria up to Rs. 500* ... ..	Article 72.		The power may be delegated as follows :— The Revenue Commissioner up to Rs. 200 within budget provision. To Political Agents up to Rs. 50 within budget provision. Subject to the condition laid down in note under articles 72, Civil Service Regulations.	* Up to Rs. 100 as Head of the Department.
4	Power to sanction the undertaking of work for a private person or private body or a public body whose funds are not administered by Government. Power to disburse fees realized for services rendered by a Government servant to a private body.	" 74 (a) " 74 (c)		The Revenue Commissioner may be empowered to sanction honoraria, etc., up to the limit of Rs. 500 to ministerial officers and to officers not higher in rank than a tahsildar. .....	..... .....
5	New appointments and enhancement of salaries and deputation—  <i>Permanent.</i>  (a) New appointments on salary not exceeding Rs. 250 a month. (b) Additions to existing appointments up to total amount of Rs. 250 a month.	" 76 (i)		The Revenue Commissioner may be empowered to sanction :—  (i) Revisions of ministerial <i>tahsili</i> and menial establishments provided that any additional expense involved is met by an equivalent reduction of expenditure charged to the major head under which the increase is proposed; provided also that this power shall only be exercised in respect of re-arrangements which do not involve posts the pay of which is Rs. 50 a month or upwards. (ii) Grant of allowances to menial establishments and new appointments among menial establishments, provided the cost does not exceed Rs. 13 a month and is within budget provision.	.....

Statement IV. of delegations under the Civil Service Regulations and Civil Account Code proposed by the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan—cont.

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Serial No.	Nature of the power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
	<i>Temporary appointments and deputations.</i>				
	(a) for any specified period up to an aggregate salary (including deputation allowance) of Rs. 250 a month.	Article 78 ... ..	The Honourable the Agent to the Governor General and Chief Commissioner in Baluchistan.	The Revenue Commissioner may be empowered to sanction :— (i) Temporary appointments among ministerial, <i>tahsili</i> and menial establishments up to Rs. 150 <i>per mensem</i> for not more than six months provided there is budget provision. (ii) Deputation of ditto ditto.	
	(b) for not more than six months above Rs. 250 a month.			The Administrative Medical Officer may be empowered to sanction temporary appointments of the classes of compounder, vaccinator and menial servants for a period not exceeding six months provided there is budget provision.	
6	Power to suspend lien on appointment ... ..	„ 89 ... ..		The Revenue Commissioner may be authorised to exercise this power in respect of ministerial appointments and of appointments not higher than a <i>tahsildar</i> 's.	
7	Power to allow maximum salary to an officer transferred as a penalty from a higher to a lower appointment on a progressive pay.	„ 157 B [b] ... ..		The Revenue Commissioner may be authorised to exercise this power in the case of all ministerial and menial officers.	
8	Power to allow retention of old pay when pay of appointment is changed.	„ 158 ... ..		The Revenue Commissioner may be authorised to exercise this power in the case of all ministerial and menial officers.	
9	Power to permit the calculation of travelling allowance by a route other than that habitually used by travellers.	„ 178 ... ..		This power may be delegated to officers who have power to appoint and to the Commissioner in respect of <i>tahsildars</i> , <i>munsiffs</i> and <i>naib-tahsildars</i> .	
10	Power to extend joining time within the maximum of 30 days ...	„ 180 (a) ... ..		Ditto ditto.	
11	Discretion to refuse to grant leave or the full amount of leave applied for in any case.	„ 197 ... ..		This power may be delegated to officers who have power to grant leave and to the Commissioner in respect of <i>tahsildars</i> , <i>munsiffs</i> and <i>naib-tahsildars</i> .	
12	Power to allow the transfer of charge before or after Sundays or gazetted holidays when it involves the taking over of money.	„ 220 (iii) ... ..		The Revenue Commissioner may be empowered to exercise this power in respect of officers lower than an Extra-Assistant Commissioner.	
13	Power to exempt from forfeiture of subsidiary leave an officer taking furlough or special leave who remains in India after the end of his subsidiary leave.	„ 221 ... ..		Ditto ditto.	
14	Power to allow joining time to an officer on long leave in India who for want of sufficient notice fails to join his new appointment within the period of his leave.	„ 227 ... ..		Ditto ditto.	
15	Power to exempt an officer from loss of appointment for over-staying leave.	„ 230 ... ..		This power may be delegated to the officers who have the power to appoint and to the Revenue Commissioner in respect of <i>tahsildars</i> , <i>munsiffs</i> and <i>naib-tahsildars</i> provided overstayal does not exceed seven days.	
16	Power to commute retrospectively periods of absence without leave into leave without allowance.	Articles 232 and 421 ... ..		Ditto ditto.	
17	Power to deal with preferential claims to furlough ... ..	Article 237 (d) ... ..		This power may be delegated to the officers who have power to appoint and to the Revenue Commissioner in respect of <i>tahsildars</i> , <i>munsiffs</i> and <i>naib-tahsildars</i> .	

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18	Power to remit penalty (as regards interruption of duty) for overstaying privilege leave, examination leave and joining time.	Articles 253 and 254	...	...
19	Power to declare whether or not suspensions from office shall interrupt duty and whether the period of suspension shall qualify for privilege leave.	Article 258	...	...
20	Power to grant extraordinary leave up to two months when leave of other kind is admissible.	" 339, Note I	...	...
21	Power to sanction the pension admissible under rule	" 918	...	...
22	Power to declare shortest route between any two stations in case of doubt.	" 996 (a)	...	...
23	Power to permit travelling allowance by other than the shortest or cheapest route.	" 997	...	...
24	Power to decide point of commencement and end of journey	" 998	...	...
25	Power to decide class of accommodation by sea or river steamer in doubtful cases.	" 1020	...	...
26	Power to fix limits of ordinary jurisdiction and impose restrictions upon journeys.	" 1041	...	...
27	Power to determine headquarters in case of doubt	" 1060	...	...
28	Power to grant travelling allowances to re-employed pensioners	" 1084	...	...
29	Power to grant free passage to join an appointment by sea	" 1085	...	...
30	Power to grant travelling allowance in case of transfer for misconduct.	" 1100	...	...
31	Power to sanction travelling allowance to inferior servants on transfer.	" 1107	...	...
32	Powers to disallow travelling allowance for attending departmental or other examination under certain circumstances.	Articles 1117 and 1118	...	...
33	Power to grant travelling allowance for journeys to procure medical certificate in case of invalid pension.	Article 1138	...	...
34	Power to delegate duties of a countersigning officer in respect of travelling allowance bills.	" 1162	...	...
II.—CIVIL ACCOUNT CODE.				
1	Power to order investigation of claims to pay allowances or increments which have been allowed to remain in abeyance for more than two years.	Article 5 (c)	...	...

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This power may be delegated to the officers who have power to appoint and to the Revenue Commissioner in respect of tahsildars, munsiffs and naib-tahsildars provided overstaying does not exceed seven days.
This power may be delegated to officers who have power to suspend.
This power may be delegated to the officers who have power to grant leave.
This power may be delegated to the Revenue Commissioner in respect of ministerial officers when pension does not exceed Rs. 50 <i>per mensem</i> .
This power may be delegated to the officers who have power to countersign travelling allowance bills.
Ditto ditto.
Ditto ditto.
Ditto ditto.
This power may be delegated to the officers who have power to appoint and to the Revenue Commissioner as regards tahsildars and naib-tahsildars.
This power may be delegated to the officers who have power to countersign travelling allowance bills.
This power may be delegated to the officers who have power to appoint.
Ditto ditto.
The authority which has power to order transfer might exercise this power.
Ditto ditto.
This power may be delegated to the Revenue Commissioner as regards officers lower than the rank of Extra-Assistant Commissioner.
Ditto ditto.
This article should be modified so as to permit the Revenue Commissioner and Political Agents to delegate this power to a qualified gazetted subordinate.
The officers who have power to appoint, and the Revenue Commissioner in respect of tahsildars, munsiffs and naib-tahsildars might be given this power.

Statement IV. of delegations under the Civil Service Regulations and Civil Account Code proposed by the Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan—concluded.

Serial No.	Nature of the power.	Rule or authority governing exercise of power.	By whom exercised.	Delegation proposed.	Remarks.
2	Power to sanction the grant of compensation for dearness of food	Article 72 ... ..	The Honourable the Agent to the Governor-General and Chief Commissioner in Baluchistan.	The Head of an office not below a District Officer might be given this power.	
3	Power to fix amount of permanent advances ... ..	" 77 (i) ... ..		This power might be delegated to the Revenue Commissioner as regards offices of the Civil Department.	
4	Power to delegate duties of countersigning officer in respect of contingent Bills.	Note 2 to Article 91 ... ..		This note should be modified so as to permit the Revenue Commissioner and Political Agents to delegate this power to qualified gazetted subordinates.	
5	Power to engage section writers ... ..	Article 98 (a) ... ..		This power might be delegated to the Head of an office not below a District Officer subject to budget provision and rules which may be made by the Local Government as to the rate of charges, counting of words, etc	
6	Power to sanction the supply of official publications, books and newspapers, etc.	Article 98 (e) and Foreign Department letter No. 1600 E. A., dated 16th September 1901.		The Revenue Commissioner sanctions, in the name of the Local Government, the purchase of books other than those supplied by the Legislative Department of the Government of India within the sanctioned budget grant. The Administrative Medical Officer may be authorised to sanction purchase of books (medical or otherwise), required for his office and for the offices under him within budget provision.	
7	Power to sanction the local purchase of articles of stationery and rubber stamps.	Article 98 (f) ... ..		In case of urgency Heads of offices may be empowered to sanction purchases up to Rs. 10 at a time within budget provision. Such charges to be supported by a certificate as to the urgency.	
8	Power to sanction the local purchase of articles of European manufacture costing more than Rs. 50.	" 98 (k) ... ..		The Revenue Commissioner might have power to sanction purchases up to Rs. 100 within budget provision.	
9	Power to sanction a recurring charge (e.g., rent of buildings) ...	" 98 (m) ... ..		The Revenue Commissioner has power to sanction up to Rs. 100 per annum, on account of rent of buildings, and he might now be authorised to sanction recurring* charges of any kind, except allowances to Government servants, not exceeding Rs. 10 a month subject to budget provision.	*e.g., scholarships, cost of sweeping and watering offices.
10	Power to sanction the supply of type-writers ... ..	" 98 (v) ... ..		The Revenue Commissioner might be authorised to exercise this power.	
11	Power to regulate refunds of revenue ... ..	" 100 ... ..		Hitherto the Revenue Commissioner has been exercising this power. The following powers may be given in future :— Sub-Divisional Officers up to Rs. 10. District Officers up to Rs. 100. The Revenue Commissioner without limit.	



12	Power to authorise any land acquisition officer to make his payments by cheques on the treasury.	„	103	...	...	...		The Revenue Commissioner might exercise this power.
13	Power to sanction house building advances ... ..	„	136 (a) I	...	...	...		The Revenue Commissioner might exercise this power as regards all officers whose salary does not exceed Rs. 250 <i>per mensem</i> , and District Officers as regards officers whose salary does not exceed Rs. 50 <i>per mensem</i> .
14	Power to sanction miscellaneous advances ... ..	„	137 (a)	...	...	...		The Revenue Commissioner might have power to sanction such advances up to Rs. 500 in each individual case.
15	Confirmation of sanction to advances given by the principal District Officer to certain officers proceeding for treatment to the Pasteur Institute.	„	137 (h), Note 3	...	...	...		The confirmation of Local Government may be dispensed with.
16	Power to sanction expenditure on miscellaneous objects customarily recognized as fit objects for expenditure of public money. Limits—Provincial ... .. Rs. 1,000 „ Imperial ... .. 500	„	278 A (a)	...	...	...		The Revenue Commissioner might have power to sanction such expenditure up to Rs. 100 if charged to provincial and Rs. 50 if charged to imperial.
17	Power to remit disallowance challenged after six months from date of payment.	„	279 A	...	...	...		The Revenue Commissioner might have this power as regards ministerial and menial establishment, and officers not higher than a tahsildar.
18	Power to dispose of escheated estates or property valued at not more than Rs. 1,000.	„	280	...	...	...		The Revenue Commissioner might have this power up to Rs. 200.

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## NORTH-WEST FRONTIER PROVINCE.

### APPENDIX III.

*Note embodying the suggestions of the Local Administration of the North-West Frontier Province on the subject of Decentralization.*

The North-West Frontier Province holds a somewhat unique position among the Local Governments and Administrations of the Indian Empire. In accordance with the proposals of Lord Curzon, this province was separated from the Punjab and constituted into a separate Administration on the 9th November 1901. The Chief Commissioner has, on the one hand, to control and advise the Government of India in regard to the relations with the tribes who occupy the country between the administrative border of the British Indian districts and the Durand Line, and, on the other, to administer these settled districts in accordance with the ordinary law. His work is thus (1) political and (2) administrative. The former not only involves all questions of diplomatic relations with the tribes, but also the control of large establishments of Border Military Police and Frontier Militia, for which purpose the Chief Commissioner is given a special Inspecting Officer as his Assistant. It will be convenient to deal with each of these functions separately.

It is obvious that in all matters relating to the frontier, to the conduct of the tribes, their allowances, rewards and punishments and all kindred subjects the Government of India must keep themselves fully informed. Such matters are of more than local or provincial importance. At any moment they may become of imperial interest. This Administration is therefore under the necessity of observing an attitude of greater subordination in these matters than in matters of ordinary administration. The Chief Commissioner is the expert adviser of the Government of India on frontier policy, and the Supreme Government cannot divest themselves of final responsibility for the initiation and conduct of frontier policy. In this, therefore, a considerable degree of centralization is inevitable, and no one would wish it otherwise. There is, however, at times a danger of this centralization being carried to extremes and of the Foreign Department of the Government of India attempting to administer the frontier too much in detail and from a departmental point of view. This is particularly noticeable in a tendency to obtain minute reports of every petty raid and dacoity that occurs. On an exposed frontier inhabited by turbulent peoples there is bound to be a good deal of lawlessness. But this lawlessness is very often nothing more than ordinary local crime. It is generally easy for the Local Administration or for the local officers to decide whether an offence is ordinary crime, or whether it involves further political considerations affecting our relations with a neighbouring tribe or tribes. In the first case the offence is a police affair with which the local authorities are perfectly competent to deal: in the second the offence may lead to further complications, and as much should certainly be reported to the Government of India. This is invariably done, but there has been a tendency on the part of the Government of India to limit our discretion in this matter and to call for reports of more or less petty matters in which no useful purpose is served by reporting them. This demand for constant reports trammels the Political Officer and takes him away from his real business of settling and preventing tribal offences. This tendency is exemplified by some recent orders issued by the Government of India directing the repetition of all telegrams, &c., regarding raids, tribal disturbances—

even when such are not likely to lead to the use of troops—to (1) the Chief of the Staff, Simla; (2) the Chief of Staff, Calcutta; (3) the Army Department, as well as to the Foreign Department both at headquarters and with the Viceroy. This leads obviously to a great increase in clerical work both here, in the telegraph offices, and in the offices addressed. A wider discretion might well be allowed in the matter. Another matter in which our officers are subjected to a good deal of unnecessary writing, and still more to unnecessary amount of reading, is in connection with the weekly political diaries. Our Political Agents send diaries from Kurram, Khyber, Tochi, Wana, Malakand and Chitral every week: and we send a Peshawar fortnightly diary reporting on the districts of the province. These diaries serve a most useful purpose, and we should be very sorry to see them abolished. But they very often contain a great deal of trivial and utterly unimportant matter. We have hesitated to point this out because the Foreign Department have complained on the few occasions when these diaries have shrunk that our officers are not supplying news fully. Our view is that these diaries should contain a brief summary of the important events of the week or fortnight—in narrative form—and should avoid the inclusion of petty matters. The number of persons, too, to whom these diaries have to be sent is a serious tax on our clerical establishments.

Generally speaking, however, our relations with the Government of India as regards political matters are satisfactory and do not admit of much further decentralization. At the same time there is nothing in the relations between the Local Administration and the officers serving under it which in the sphere of political work calls for serious alteration. Nor can we offer any suggestions regarding the grant of fuller powers in the matter of political expenditure, in which sufficient latitude is already admissible under the rules.

Under present arrangements the finances of the province are entirely imperial, all receipts going to imperial revenues and all expenditure being budgeted for and paid from the same source. The province should be given a provincial settlement or quasi-settlement on somewhat the same lines as Baluchistan. It is unnecessary to enforce this point, as the Government of India in paragraph 5 of their letter constituting the North-West Frontier Province (No. 2926-F., dated 30th October 1901) stated that a "quasi provincial agreement similar to that for Baluchistan will be made as soon as possible for the new province." Things are now ripe for such an agreement the need of which is felt more acutely every day, and it may be assumed that our finances will soon be provincialised.

We shall then be on the same financial footing as other Local Governments, and the question then arises how far the present financial powers of Local Governments should be extended. It is perhaps unnecessary to discuss this question here in detail.

The following suggestions, however, are here put forward for consideration:—Paragraph 4 of Article 283 defines the financial matters in regard to which the Local Governments cannot take action without the previous sanction of the Government of India. Of the 14 heads therein enumerated Nos. 2 to 6 and Nos. 8 and 9 might well be omitted or largely modified.

Instances of the petty references which those provisions necessitate can readily be quoted, *e.g.*, we have recently had to apply for the sanction of the Government of India to a much needed increase in the pay of peons at headquarters by Re. 1 per mensem, and last year we had to apply for sanction to transfer to the bankrupt District Board of Dera Ismail Khan the income of certain ferries. The Local Governments should also have power to create for a period of over six months and to abolish appointments the pay of which exceeds Rs. 250 per mensem, when the cost is a provincial charge. The limit might be raised to Rs. 500 per mensem and the period to a year. Where the charge is imperial (Article 278, Civil Account Code) some limit is certainly required, but for the present all-round annual limit of Rs. 3,000 per annum allowed to meet increases in non-gazetted establishments a differential limit varying according to the importance and revenues of each Local Government might well be substituted. For this province the limit might be Rs. 5,000 per annum, and the pay of Rs. 50 per mensem in individual cases raised to Rs. 100. Even when a provincial settlement is made the most important head of expenditure, *viz.*, 25—political, will probably remain imperial, and under this head the necessity for revising and increasing establishment to meet the growth of our political responsibilities—*e.g.*, the Kabul River Railway—is constantly arising. The Local Government should be allowed a reasonable margin to meet such cases without reference to the Government of India.

Whatever may be the case for large provinces such as Madras, Bombay, the United Provinces, &c., there is no need to grant borrowing powers to small provinces and administrations.

The rules under the head of contingent charges contained in Chapter 6 of the Civil Account Code might be considerably abbreviated and simplified. The charges are now divided into—

- Class A.—Contract Contingencies.
- „ B.—Countersigned Contingencies.
- „ C.—Audited Contingencies.

Under A a lump sum fixed by the Local Government from time to time is allotted for *certain* charges under heads—

- 3—Land Revenue.
- 19 A.—Law and Justice.

This system might with advantage be extended to the remaining charges under those heads and also to other heads which are now dealt with under Class B, thereby saving much correspondence and delay on petty matters.

It seems quite unnecessary that the sanction of the Local Government should be obtained for such charges as—

- (1) local purchase of stationery;
- (2) printing at private presses;
- (3) payment of rent or other recurring charge beyond a single payment;
- (4) purchase of articles of European make.

The authority might be delegated to the Head of the Department.

Similarly the authority of the Head of the Department, which is now necessary for—

- (1) purchase of Railway Guides;
- (2) purchase of books of reference published in India,

might be dispensed with altogether, the authority being retained for “purchase of tents.” There are a great number of petty transactions in which the previous sanction of the “Countersigning Officer” is now necessary, *e.g.*—

Purchase of clocks, treasury weights and scales, iron safes, blank books of telegraph forms, of furniture exceeding Rs. 200 in a year, &c., &c., which might reasonably be left to the discretion of the officer incurring the expenditure, *i.e.*, the disbursing officer.

In the case of C—audited contingencies a similar delegation of authority will much simplify matters; *e.g.*, at present the previous sanction of the Local Government is required for the payment of municipal taxes and rent of buildings.

The extension of the contract system, the delegation of the sanctioning authority to Heads of Departments and Controlling Officers, the grant of power to the disbursing officer to meet deficiencies under one head

by savings under another, and to Controlling Officers to sanction transfers from one head to another and from one district to another without reference to the Local Government will save an enormous amount of work and correspondence without any serious loss to Government.

The same principle as above described for contingent expenditure might be extended to other heads of expenditure. At present the allotments under each major head are distributed over several sub-heads; *e.g.*—

- Salaries,
- Establishment,
- Allowances—Travelling and other,
- Supplies and Services,
- Contingencies,

and no transfer from one sub-head to another is allowed except under the sanction of the Local Government, while even the Local Government cannot utilize savings in the “Salaries of Gazetted Officers” for transfer to other sub-heads, and “Savings in establishment” can only be utilized to meet the cost of new establishment under Article 278 (2), and cannot be appropriated to meet contingent or other charges under the same major head.

Without going into details it is obviously desirable that Local Governments should have freer powers of transfer from one major head to another, and that Controlling Officers should have authority to sanction transfers from one sub-head to another at least up to a reasonable limit.

The powers of Local Governments to condone interruptions and deficiencies of service (Articles 422 and 423, Civil Service Regulations) might be further extended. A case is now pending in which the service of a treasury clerk falls short of 30 years by one month and seven days. As the charge is imperial and the deficiency exceeds one month, the case must be referred to the Government of India.

Article 918 of the Civil Service Regulations limits the Local Government’s power to sanction pensions to “cases falling clearly and strictly within the letter of the Regulations.” With watchful Audit Officers this provision in practice means that many cases are referred to the Government of India which might well be left to the discretion of the Local Government.

In the case of pensions, rewards and gratuities to Government servants the sanction of the Local Government is required in even the most petty cases. The powers granted to the Board of Revenue, Madras; to Commissioners of divisions in the United Provinces, Bombay, and in Sind; to Managers of State Railways, and to Inspectors-General of Police in certain cases (Articles 919–921, Civil Service Regulations) should be extended to other Officers and Heads of Departments of similar status, and enlarged so as to cover sanction to gratuities and rewards as well as pensions subject to the claims being duly certified by the Audit Officer. A considerable delegation of powers in finance matters to Commissioners of divisions and Heads of Departments might thus be effected to the advantage of all parties.

For increase in permanent establishment the sanction of the Local Government should be maintained as at present, but Commissioners and Heads of Departments might be authorized to employ temporary establishment up to a certain limit—say a total of Rs. 1,000 per annum on pay not exceeding Rs. 30 per mensem, provided that budget provision exists or that the cost can be met from the grants under their control.

It may here be noted that this Administration is in correspondence with the Accountant General as to the delegation of financial powers to Heads of Departments on the same lines as in the Punjab.

In matters relating to the land revenue administration Local Governments have a free enough hand, and in recent years at all events such action as the Supreme Government has taken in laying down the lines of policy and calling on Local Governments to explain how they propose to give effect to that policy has been in the direction of liberality and improvement. There are some needless restrictions in matters of detail, especially in regard to assignments of land revenue, which might be removed: *e.g.*, in the case of certain perpetual *jagir* grants the condition is that the successor should be selected by Government and Government at least in this province has been interpreted to

mean the Government of India. The powers of Local Government as to the grant and continuance of assignments and the alteration of conditions as defined in Government of India letter No. 24—405—2, dated 6th January, 1897, might be increased. In excise matters the control exercised by the Government of India appears to be unnecessarily minute, though perhaps this is considered essential till the principles of policy enunciated as a result of the recent Excise Committee's Report are given effect to. A serious problem in this province is to prevent the smuggling of Afghan grown opium. To combat this it was thought expedient by the Local Administration to increase the facilities for the *licit* importation of such opium by responsible contractors who had bought up the whole Afghan stock of opium in Kabul. The Government of India were recently asked to sanction under Section 7 of the Opium Act the opening of an opium warehouse in Peshawar, but refused sanction on the ground that it was not advisable to encourage such import. This may be correct in theory, but a knowledge of local conditions would have made it clear that the opium will in any case be grown in Afghanistan, and will find its way into India licitly or illicitly. In this and other matters the influence of the departments of the Government of India, owing to excessive caution due to ignorance of local conditions, is apt to be too rigid and uniform.

The Local Government may be sure of its ground and able and willing to push forward in a particular line of policy, but the Government of India Departments are inclined to look with doubt or suspicion on a step forward being taken in our province unless all other provinces are ready to advance in the same direction. Hence the pace in matters of administrative progress is usually that of the slowest province. This policy may be the safest, but it tends to paralyse local initiative and to encourage routine. The Revenue and Agricultural Department is perhaps more closely in touch with local conditions, and therefore more disposed to take broad views than any other, but instances could be quoted in which even that department hesitated to sanction proposals allowing the Collector to take the initiative in proposing remission for agricultural deterioration because other provinces might not be disposed to go so far.

The departmental standpoint is most marked in the case of departments the Heads and Secretaries of which having had to specialise early in their careers are out of touch with general administrative conditions. The tendency is strong in the Finance and Public Works and Railway Departments, especially in the latter, where revenue and departmental considerations are allowed to stand in the way of salutary reforms when suggested from outside, and where the officials in their zeal for departmental interests are apt to overlook the interests of the public and the fact that they are *public servants*, not servants of a department. The correspondence regarding the Nowshera-Dargai Railway and the opening of the Nowshera Railway bridge to the public may be cited as instances.

The same remarks apply to the Telegraph Department. It took 15 years' intermittent correspondence to bring about the opening of a telegraph office at Swabi, the headquarters of a *tahsil* in the Peshawar district, because the department was unwilling to run the remote risk of financial loss and would not entertain the recommendations of the Local Administration unless backed by a financial guarantee. When application was made to the Government of India to sanction such a guarantee—which the Local Government could not itself grant—the Telegraph Department was directed to open the office without a guarantee. A similar correspondence is now taking place in regard to the opening of a much needed telegraph office at Sarai Naurang in Bannu and at Paharpur in Dera Ismail Khan. The cases illustrate the powerlessness of Local Governments and the extent to which administrative improvements may be blocked by narrow departmental views.

The same excessive rigidity is found in dealing with the Public Works Department (Roads and Buildings). The provisions of the Public Works Code bar many a salutary improvement involving no loss to Government, e.g. the provision of necessary furniture for official residences in out-of-the-way places, though the officers concerned agreed that the charge for interest and depreciation should be added to the rent of the

building, and the Local Administration recommended that this should be sanctioned.

The Finance and Public Works Codes, instead of being regarded as general rules for guidance, are applied in a meticulous and inelastic spirit, and Local Governments and local officers finding their efforts to promote some salutary reform blocked by a rigid literal application of the rules become discouraged, lose initiative, and meekly bow down to red-tape and routine. The interpretation given to Article 1112, Civil Service Regulations, by the Accountant-General in a recent case in Dera Ismail Khan, may be quoted as a typical instance.

The present practice as regards appeals to the Government of India in respect of administrative action, and also by officers against orders affecting them personally, appears to be unduly liberal in many cases. Where the right has been granted by law or by rules having the force of law it should not be interfered with. Where it has grown up as the result of executive practice it should be examined and limited as far as possible, both in order to relieve the Government of India of the work involved and to enhance the responsibility and dignity of the Local Government. The tendency to question every official act is becoming more and more rampant in India, and unless checked must seriously paralyse executive action and weaken the prestige and authority both of local officers and of the Local Government.

Many instances could be cited, but one or two will suffice. In pursuance of the general policy of the Government of India, the monopoly of the vend of judicial stamps by the District Treasurer of Peshawar was abolished a few years ago by the Revenue Commissioner. The Treasurer appealed to the Chief Commissioner, but without success. He then appealed to the Government of India.

In the recent settlement of the Bannu District certain assignments of land revenue held for the term of settlement were maintained as before for the term of settlement; others were enhanced, the holders of which had done good service to Government. Several of those whose assignments were maintained, but not enhanced, have now appealed against the orders of the Local Administration, while others who have not received such assignments have appealed on the ground that they should also be included! Even more flagrant instances of frivolous and impudent appeals could be cited: e.g., the construction of a mill in Naryab, which has been the subject of executive appeals and revisions for the last 16 years.

The case is even worse as regards appeals to the Government of India and Local Governments by officers against orders affecting them personally, and in the executive rules governing such appeals the cardinal fact appears to be lost sight of that the authority which has power to appoint has also power to punish, degrade or dismiss an official, and that no appeal as of right should be allowed against the order of dismissal, though a memorial may be addressed to the controlling authority. Thus members of the Imperial Services who are appointed by the Secretary of State should be allowed the right of appeal to that authority; officers appointed by the Government of India should have the right of appeal to that Government and no further; officers of the Provincial Service appointed by provincial Governments should have no power of appeal beyond that Government; and officials of the Subordinate Services appointed by High Courts or Chief Courts, Judicial Commissioners, Boards of Revenue, Financial or Revenue Commissioners, Collectors, etc., should have no right of appeal except to the authority which appointed them. The Punjab Land Revenue Act and Punjab Courts Act clearly define what authority has the power to appoint and dismiss all subordinate officials from *tahsildars* and *munsiffs* down to the lowest ministerial officers, and the almost unlimited power of appeal which has grown up by executive practice is an abnormal and unwarranted excrescence, which is rapidly becoming a serious weakness to the Administration, as it saps the prestige and responsibility of the local authorities.

Something has already been said with reference to the departmental tendencies of the Imperial Secretariat. The same remarks apply *mutatis mutandis* to the larger provincial Secretariats. The feeling of the various Services, and especially of the Civil Service, that the surest road to fame, honours and advancement is

through the Secretariat is one of the most serious dangers to the Administration. The feeling has been strengthened by the tendency of Government—Imperial and Local—to get the best men into the Secretariat, and having got them, to keep them there. However great their ability, the longer they remain on Secretariat work, the more likely they are, at least in large provinces, to lose touch with local conditions, and local opinion. Executive Officers lose confidence in them and feel a not unnatural jealousy of the persistence with which they stick to their posts, rising from Under-Secretary to Secretary of a Local Government, and then being often translated into the Imperial Secretariat. The Secretaries, on the other hand, are apt to adopt a lofty *de haut en bas* attitude in dealing with the proposals of local officers, and to be critical and condemnatory rather than advisory and helpful. The tendency of such a Secretariat is to judge a man not by his work, but by the manner in which he writes about it; but it is notorious that many of our best Executive Officers and ablest administrators are weak with the pen. The obvious reform, which though often mooted and accepted in principle, is rarely carried out in practice, is (1) that no officer should be appointed to the Secretariat till he has had considerable experience of, and shown his capacity for, executive work; (2) that no officer should be retained in the Secretariat beyond a certain term; (3) that the Imperial Secretariat should be recruited more largely from men actually employed on executive and administrative work.

One of the evil results of growth of strong and highly centralized Secretariats is the corresponding reduction in the authority and influence of the Commissioner, who from his ripe experience and local knowledge should be the right hand of the Local Government and the adviser as well as the chief of the local officer. The multiplication of departments, both imperial and provincial, with expert Heads, further tends to lessen the authority of Divisional Commissioners. Knowing that every proposal of any importance must be referred to superior authority—the Local Government or the Financial Commissioner—and will be examined and criticised minutely by the Secretaries of one or the other authority, the Commissioner has of late years effaced himself more and more, has hesitated to use even the authority delegated to him, and in many cases confined himself to passing on references with brief expressions of opinion, knowing that the ultimate responsibility does not rest with him. This is the case even in the Land Revenue Department, which is primarily under his local control.

In other departments his effacement has been even more complete. The development of these Departments—Educational, Public Works, Medical, Agricultural, Veterinary and Police—under their own Departmental Heads has in recent years been very rapid. The Commissioner has largely lost touch with them, and lost any powers of check or control he ever exercised. There has been a corresponding growth of departmental feeling, so strong in certain cases—this province is not referred to—that the *personnel* of those departments even resent and refuse to pay the ordinary official courtesies to the local Heads of the Civil Administration—the Collector and Commissioner—whose influence and authority with the people are accordingly reduced.

The Heads of those Departments are in direct communication with the Local Government and in a position to push forward their views, while the Commissioner is a distant authority and apt to be lost sight of. To this and other similar causes may be attributed the alarming growth of *departmentalism* in recent years. The remarks in this and the preceding paragraph are of general application and have no special reference to this province.

As a rule Executive Officers have not, unless they are very rapid workers, sufficient opportunities for personal contact with the people.

The causes are :—

- (1) The increase in periodical reports and returns required both by the Government of India and the Secretary of State.
- (2) The centralisation that follows from strong Secretariats and the desire of Government—Imperial and Local—to be informed of all matters regarded as important.

- (3) The frequent references to higher authority necessitated by the growth of Codes, rules and circulars.
- (4) The excessive freedom of appeal allowed against the orders of Executive Officers.
- (5) The enormous increase in the number of legal practitioners, which interferes with the speedy disposal of judicial and executive cases in which they are allowed to appeal.
- (6) The increasing perplexity of the Administration in nearly every branch and the growth of new departments.
- (7) The great activity of the Government of India in recent years in initiating reform and reorganization in various Departments—Land Revenue, Excise, Police, Education, Agriculture and Irrigation.

These reforms and the various Committees and Commissions appointed from time to time to investigate and report on them throw an enormous burden of office work on Executive Officers and contract their opportunities of moving about among the people, and of ascertaining their views and learning their wants at first hand. The same causes reduce an officer's opportunity of learning the vernaculars. To discuss the remedies for the present state of things would involve an examination of the whole system of government in India. The most obvious and practical suggestions are :—

- (1) Split up unwieldy districts. The only very heavy charge in this province is the Peshawar district, and arrangements are in progress for its partition into two districts.
- (1a) Reduce transfers of officers as far as possible, so that they may have time and opportunity to get a knowledge of local conditions.
- (2) Delegate as much authority—financial and administrative—as possible, thereby giving more responsibility to local officers, and encouraging them to use their own judgment instead of referring every difficult or doubtful case for the orders of higher authority.
- (3) Confine legal practitioners to their legitimate sphere, viz., judicial cases, and bar them from appearing in executive matters, also limit their numbers as has been done with excellent results in this province.
- (4) Extend the system of substituting triennial or quinquennial for annual reports.
- (5) Make it clear that the work of a good Executive Officer will meet with the same recognition from Government as that of an able Secretary or of a man deputed for some special duty or service—*e.g.*, political. This will increase the prestige of Executive Officers in their districts, and encourage them to stick to a line which ambitious men are now eager to abandon for the Secretariat, &c.

The above suggestions also supply an answer—at least in part—to the questions how the unnecessary transfer of officers can be reduced.

Once it is made clear to Executive Officers that the surest road to recognition is good steady work in the district and among the people, the large proportion of transfers which now occur owing to the desire of officers to bring themselves to notice by getting away on Secretariat and special duties will disappear.

Personal considerations are given far too much weight by Local Governments in the matter of transfers, and the interests of the district or charge are taken too little into account. This is partly a result of the Secretariat stand-point above referred to. Nearly all transfers are arranged direct by the Secretariat, and the local officers and the Commissioners are consulted far too little in the transfers of officers serving under them, though they are in the best position to know whether the transfer can be made without injury to the public interest.

In this province we have an arrangement whereby 42 officers are made over to this Administration for the purpose of officiating the province, *i.e.* of filling the 34 posts reserved for officers of the Political Department, and to allow for leave and deputation. This arrangement is quite satisfactory, if only we were given our full complement of officers, which hitherto has never been the case. There are, however, three points in which might be decreased—

- (1) The Government of India reserve the right to appoint the Political Agents, (1) Khyber and

- (2) Dir, Swat and Chitral. These appointments should and would certainly be made on the recommendation of Chief Commissioner, who alone can judge of the qualifications of the officers available. A good deal of avoidable correspondence would be obviated if these appointments were put on the same footing as the rest of the appointments in the province (save the revenue and Judicial Commissionerships, which must by law remain as at present for nomination by the Government of India).
- (2) We should have the power to put officers on deputation for special work without reference to the Government of India. The financial considerations are not serious, and we could be trusted to use a proper discretion.
- (3) Our appointments should be gazetted by ourselves in a local Gazette instead of being sent to the Government of India for publication over the signature of the Secretary to the Government of India, which is purely formal and means an extra link in the chain and adds to routine correspondence.

The present system of calling for confidential reports on officers already in the Political Department involves

a great deal of unnecessary clerical work and serves no useful purpose. If such periodical reports are necessary, they could be framed on much simpler lines. A few remarks would as a rule be ample.

There is another matter in which the powers of both Local Governments and Local Administrations might be increased with great advantage, and that is in the grant of rewards for good service. As matters stand at present the Local Administration has almost unlimited powers of punishment. It can degrade and dismiss their servants and subordinates. It can remove the name of Darbaris and *Kursi Nashins* from the list. It can resume under the Frontier Crimes Regulation *jagirs* and *inams*. But when it comes to a question of reward there are very few paths open. Of course, recommendations for the grant of a title, of a special pension, of a *jagir*, &c., can be made to the Supreme Government. But this involves delay and the edge of the reward is apt to become blunted in the process. What is wanted is some power to reward promptly and finally good service for all to see. It would be well if Local Governments and Administrations were empowered to grant small life *jagirs* or *muajts* and small life pensions without reference to the Supreme Government.

## PUNJAB.

### APPENDIX IV.

#### *Brief Summary of the organization of Government in the Punjab.*

The province of the Punjab extends over 49,000 square miles, with 20 millions of inhabitants. Its dependencies consist of 34 Native States, with an area of 36,000 square miles and a population of 4½ millions.

The province is divided, for purposes of general administration, into five divisions (each under a Commissioner), 29 districts (each under a Deputy Commissioner) and 114 *tahsils* (each under a tahsildar).

There is a District Board for each district except Simla, and there are 137 municipalities. The Deputy Commissioner is President of the District Boards and is Chairman of the principal municipalities.

The judicial staff proper consists of a Chief Court (of five Judges), 12 Divisional and Sessions Judges, 29 District Judges and 81 munsiffs. The appointment and posting of munsiffs is entirely under the control of the Chief Court.

The Deputy Commissioner is District Magistrate, and, except where a very junior officer is given powers under section 30, Criminal Procedure Code, to dispose of all cases not punishable with death. In some of the more heavily worked districts there is an Additional District Magistrate with appellate powers; in others some other officer is empowered under section 30, Criminal Procedure Code, and disposes of the heavy criminal original work, the Deputy Commissioner hearing appeals from subordinate Magistrates. The Deputy Commissioner is also Collector.

The general administration is in the hands chiefly of the Punjab Commission and the Statutory and Provincial Civil Services. The Punjab Commission consist of (i) officers of the Indian Civil Service, (ii) officers of the Indian Army, and at present consists of 151 persons (excluding individuals serving outside the province).

The Provincial Civil Service consists of 159 officers (including four who are holding superior listed posts), and there are four members of the Provincial Statutory Civil Service. Eight superior listed posts are held by members of these two Services.

The Secretariat of the Lieutenant-Governor consists of one Chief Secretary, three Secretaries to Government (Revenue and two in the Public Works Department), two Under-Secretaries (Political and Revenue), two *ex-officio* Under-Secretaries (Police and Education), three Public Works Department Under-Secretaries, one Assistant Secretary for Finance, and one Mir Munshi.

The Lieutenant-Governor has direct communication with the Inspector-General of Police, the Inspector-General of Civil Hospitals, the Director of Public Instruction, the Chief Engineer, Public Works Department, Buildings and Roads Branch, the Chief Engineer, Public Works Department, Irrigation Branch, and the Chief Secretary and Secretary to Government.

Cases involving political or important administrative or personal question or questions of finance, through originating with the other officers mentioned, are sent to the Lieutenant-Governor through the Chief Secretary to Government.

The Inspector-General of Police is an *ex-officio* Under-Secretary to Government and, as such, issues the orders of Government to his subordinates. He does not, however, correspond as such with the Government of India.

The Inspector-General of Civil Hospitals has an assistant in the person of a Chief Medical Officer for Plague. The Sanitary and Jail Departments are manned by Medical Officers, but, except for purposes of recruitment and appointments (regarding which they correspond with the Inspector-General of Civil Hospitals) they communicate direct with the Secretary to Government. The Inspector-General of Civil Hospitals does not correspond direct with the Government of India.

The Director of Public Instruction is in this province an *ex-officio* Under-Secretary to Government, and as such corresponds under the Lieutenant-Governor's orders with the Government of India.

The Chief Engineers hold the double position of Chief Engineer and Secretary to Government. In



matters which by law or custom require the order of the Lieutenant-Governor, they act in the latter capacity, and, as such, issue orders under the Lieutenant-Governor's authority to subordinates and correspond with the Government of India.

Matters not dealt with by the above are referred to the Lieutenant-Governor through the Civil Secretariat. In revenue matters the Commissioners communicate through the Financial Commissioner and in others direct. The Financial Commissioner in all cases receives the Lieutenant-Governor's instructions through the Secretariat.

The revenue staff of the province is controlled by

the Financial Commissioner. The Financial Commissioner has a Senior, a junior and an Assistant Secretary. He also controls the following Departments and their Heads are under his orders:—Settlement and Colonization (Settlement Commissioner), Excise (Excise Commissioner), Agriculture and Civil Veterinary (Director of Agriculture), Land Records (Director of Land Records), and Co-operative Credit Societies (Registrar). The Inspector-General of Forests corresponds with Government direct, but on certain subjects has to approach Government through the Financial Commissioner.

## APPENDIX V.

No. 1072½ (Rev. & Agri.—Genl.), dated Lahore, 26th November 1907.

From the Hon. Mr. E. D. Maclagan, C.S., Chief Secretary to Government, Punjab, to H. Wheeler, Esquire, Secretary of the Decentralization Commission.

I am desired to furnish your Commission with a general exhibition of the ideas of this Government regarding the practical measures of devolution which it is prepared to recommend in the direction of—

- (a) giving larger power to the Local Government itself;
- (b) similarly enlarging the powers of the Financial Commissioner, Heads of Departments and Commissioners and Collectors; and
- (c) giving larger powers to District Boards and municipalities.

The Heads of Departments, Deputy Commissioners and others in this province have been asked for an expression of their opinions and suggestions on the above points. It is evidently impossible for the Lieutenant-Governor, in the time available, to deal with the mass of detailed suggestions which have been received; and he does not propose to give his views in detail, nor is it understood that this is desired by your Commission. I am accordingly to notice below briefly the chief points to which he desires to invite the attention of the Commission and to convey his general views, as at present advised, upon the more important of these points:—

(A) As regards the *devolution of powers to Local Governments*, he thinks that attention may suitably be drawn to the following points:—

- (1) In view of the various special departments which have been organised by the Government of India within the last few years and of which the latest example is the new Department of Excise, it appears advisable that steps should be taken to distinguish the specialising of the administration, which in itself is harmless and indeed necessary, from anything in the shape of centralization; that is to say, the expert departments thus organised should be allowed to place their opinion and advice at the disposal of Local Governments without being in any way placed in a position to issue orders on the subjects with which they deal. The Lieutenant-Governor cordially acknowledges that as a rule this principle has been observed, but it is one regarding which it is necessary to be always on the watch.
- (2) It should also be recognised that the orders of the Government of India should as far as possible be restricted to matters of policy, and that the details of administration pursuant on the policy should be left to the Local Government to carry out. There has been a tendency in some departments of the Government of India to issue resolutions on matters of policy and to follow up those resolutions by orders requiring the submission to the Government of India of the detailed instructions which the Local Government proposed to issue in pursuance of the policy laid down in the resolutions. The Lieutenant-Governor thinks that in matters of this kind it would be advisable to leave

more latitude and place more reliance on the Local Governments.

- (3) In the same way the present Statutory Law appears to him to require a reference to the Government of India for sanction to the issue of rules under Acts in many cases in which such references are unnecessary. The provisions have, the Lieutenant-Governor believes, often been inserted as a concession to those who object to the exercise of wide, and perhaps somewhat arbitrary, powers by Local Governments without any superior control. But it might be well to go through, as perhaps your Commission are already doing, the provisions of various Acts in the Statute Book on this point and to relax as far as possible the requirements which call on Local Governments to submit their rules for the approval of the Government of India before issue.
- (4) As regards financial matters, the recent arrangements regarding provincial settlements make it possible for the Government of India to leave to the provincial Governments more power than they have at present in dealing with their own budget, and the Lieutenant-Governor thinks it worth considering whether the Local Governments should not be given power to pass their own budget and to draw on their own reserve, subject possibly to certain conditions which may suggest themselves to your Commission.
- (5) In matters of detail in connection with financial arrangements the Lieutenant-Governor considers that a good deal more scope might be given to Local Governments both in the Civil Account Code and in the Civil Service Regulations. The powers of Local Governments under Articles 277, 278 (A), 279 (A) and 283 of the Civil Account Code and under Article 2155 of the Public Works Code might, he thinks, be in some directions considerably increased, and I am directed to enclose in advance a copy of the opinion received by this Government from the Accountant-General on this and other matters connected with financial delegation, as many of the suggestions of the Accountant-General appear to the Lieutenant-Governor to be worthy of serious consideration. Under the Civil Service Regulations the increased powers appear to be more specially desirable in connection with matters, such as temporary appointments and in dealing with the passing of pensions and various classes of allowances.
- (6) In matters other than purely financial, suggestions have been made for increasing the powers of Local Governments as regards the length of settlements and the amount of assessment which can be determined without the sanction of the Government of India, also in respect of the alienation of Government lands. The Lieutenant-Governor thinks that

something might suitably be done in this direction in order to avoid unnecessary and troublesome correspondence.

3. (B) As regards the devolution of powers to officers subordinate to the Local Government, it would be observed that in many minor matters opportunity has been taken during the last year or two to delegate a certain amount of power to the Heads of Departments and Commissioners, but from the replies which have been received in connection with the present reference, it would appear that a good deal more might be done in the same direction. As regards Departmental Officers, the changes in this direction would be mainly of a financial character, that is to say, in the direction of increasing powers of sanction exercised by the Heads of Departments and in some cases by their subordinates, but in the case of the general administration the power of devolution can be suitably extended into a variety of matters other than of purely financial character, and the Lieutenant-Governor thinks that it would be convenient for him to mention below a few points in this connection according as they deal with—

- (a) the saving of time to District and other Officers ;
- (b) the solidarity of the administration in the districts ;
- (c) the finality of orders by subordinate officers ;
- (d) the power to spend and give money possessed by officers subordinate to Local Government ; and
- (e) the maintenance of the outward appearance and dignity of some of the officers concerned.

4. Taking first (a), those proposals which deal with the saving of the time of subordinate officers, it is true that a great many of the petty references which are made from districts do not occupy much of the time of the Deputy Commissioner, but some of them do unnecessarily occupy his time, and the collective effect of a number of such petty references is considerable and is a drag on the district administration, and the Lieutenant-Governor thinks that a good deal might probably be done to lighten the load now imposed by petty work, though it is impossible to say more than this until the matter has been examined in detail. The proposals as regards District Officers are mainly under two heads—

(i) They suggest the shortening or lessening the number of returns, reviews and reports required from District Officers (as, for instance, by reducing the number of reports by altering annual into triennial or quinquennial reports in certain cases) and the shortening or doing away with proposition statements for changes of establishment and statement showing proposed suspensions and remissions of revenue. Something might probably be done to reduce the waste of time caused by the mechanical drudgery imposed on Deputy Commissioners in consequence of the requirements of superior officers, chiefly in the Accounts Department, which prescribe that certain papers and returns should always bear the signature of the Deputy Commissioner.

(ii) It is suggested that a saving of time might also be afforded by granting more help to Deputy Commissioners by providing them with a larger number of assistants to whom they could hand over more of their work. This is already done as far as possible in this province, but it is worth while considering a suggestion which has sometimes been made that Extra-Assistant Commissioners should be utilised by being posted to *tahsils*, where they could be trusted more than *tahsildars* can at present be, to carry out a number of orders on their own responsibility. The Lieutenant-Governor has not much confidence in anything resulting from this suggestion, though he thinks the extension of the sub-divisional system is worthy of consideration. Similarly suggestions have been made that in districts where there are suitable banks at headquarters the treasury work might be entrusted to them instead of taking up the greater part of the time of one of the officers of the district. It is further suggested that the clerical labour imposed on Deputy Commissioners might also be reduced by improving the character and

position of their head clerks, and in the same way that the clerical work of Commissioners might be lessened by strengthening the staffs of those officers and possibly by providing them with Personal Assistants.

The Lieutenant-Governor is in favour of relaxing the restrictions upon the direct purchase of products of European manufacture, which must at present be procured, in almost all cases, by indent upon the Secretary of State. Especially he would recommend that appliances and materials required for purposes of experiment or research should be procurable by the Head of the Department concerned, direct from the European manufacturers, or their agents in India.

5. Next as regards (b) the solidarity of the administrations in the districts, the Lieutenant-Governor is not surprised to find from the replies received the very strong feeling among Deputy Commissioners in this province against the interference of some of the main spending departments of Government, such as the Medical, Veterinary, Education and Public Works, and he is strongly impressed with the belief that something should be done in this province to modify the existing relations between the specialised departments and the District Officers so that these latter may receive all the expert assistance which they require, but without the local executive and financial authority being taken out of their hands. The matter is already under the Lieutenant-Governor's consideration, and steps will gradually be taken to meet as far as possible the object proposed, but the present state of affairs will no doubt receive the careful consideration of your Commission. In reference to certain other departments, such as the Agricultural Department, the Department of Land Records and the Department of Excise, there is less cause for complaint, but even as regards these departments there is an inevitable tendency for their communications to take the form of orders, rather than of advice ; and everything should be done to prevent the growth of such a state of affairs. The Lieutenant-Governor finds that there is a strong feeling among District Officers in districts irrigated by canals that the duties of the Canal Department should be confined to the construction of canals and the distribution of the water, leaving the whole of the subsequent assessment and collection of canal revenue in the hands of the District Officers. He doubts whether such an extreme measure is either necessary or advisable, and believes that the admitted defects of the present systems might be removed in other ways. As, however, the questions will form one of the points into which the Canal Colonies Committee, which is now sitting in this province, will make its enquiries, the Lieutenant-Governor does not think it advisable to indicate at present any final opinion upon it.

In one specialised department, namely, that of the Accountant-General, the Head of the Department, which is an imperial one, is under the present rules allowed practically no discretion in carrying out the requirements of the various financial codes, and the Lieutenant-Governor thinks that the amount of correspondence and of resulting friction between this department and the District Officers might be much alleviated if the Head of the Department were allowed more discretion in working the rigid requirements of the code.

6. As regards (c), the finality of the orders of subordinate officers, the Lieutenant-Governor understands that your Commission is not concerned with questions of judicial jurisdiction, and he accordingly confines his remarks to the amount of finality in the orders of subordinate officers in executive and administrative matters. It is probable that a certain amount of control is at present exercised by the Financial Commissioner over Commissioners and by Commissioners over Deputy Commissioners, which might be ordinarily dispensed with, the power of interference when necessary being reserved. For instance, measures which now require previous sanction might in some cases be simply reported for the information of the Controlling Officer, who would thus be able to exercise general supervision. Another remedy appears to lie in limiting the scope of appeals in executive and revenue matters. The want of finality in the orders of the District Officers is at present felt perhaps most markedly in questions of the appointment, dismissal, &c., of subordinate officers, including officers of the

Deputy Commissioners' own office establishment, and there is a good deal of complaint regarding the amount of interference exercised under the Court of Wards Act. The present Court of Wards Act which was passed a few years ago has made the Financial Commissioner the Court of Wards for the whole province instead of leaving the Deputy Commissioners, as they were before, each the Court of Wards of his own district under the general control of the Commissioner and Financial Commissioner. The change was adopted at the instance of the Government of India, but from the complaints which have been made regarding its working the Lieutenant-Governor is inclined to think that some alteration in the present arrangements may be found advisable.

It has been pointed out by several officers that if greater powers are given to Deputy Commissioners and their subordinates, it is necessary at the same time to confer on the Local Government or the officers to whom it may delegate its powers a greater authority to get rid of incompetent officers, so that the extra powers now being conferred may be granted only to such officers as can safely be entrusted with them. This introduces one of the much difficult problems of Indian administration, which could not be profitably discussed in the present letter.

7. As regards (d), the increase of *power to spend and give money*, the first point for consideration appears to be whether arrangements could not be made for providing Commissioners with something in the shape of a divisional budget from which they could make the necessary allotments for not only district contingencies and other minor matters, but also for the ordinary Public Works, educational and other similar expenditure of their divisions. It is at present difficult to delegate to Commissioners the power to sanction, even in minor matters, increases of establishment or other expenditure, inasmuch as no Commissioner has at the present time at his disposal anything more than a very small amount of money, and it appears necessary that if further powers are, as seems advisable, to be given to Commissioners, they should also be placed in a position to provide the money for their exercise. As regards both the Deputy Commissioners and Commissioners, it has been suggested that small reserves should be placed at their disposal for general use, the expenditure of which would be controlled by the Commissioner and the Financial Commissioner respectively, instead of by the Accountant-General, and that such funds could suitably be used on objects similar to those for which the political funds enjoyed by officers on the frontier are available, such as rewards for specially good work done for the administration, the entertainment of native gentlemen who have been summoned to headquarters, and the like; and of this suggestion the Lieutenant-Governor strongly approves.

A second class of improvements in the direction of increasing the financial powers of subordinate officers lies in the provision of greater authority to Commissioners, Heads of Departments and Deputy Commissioners in respect of matters dealt with by the Civil Service Regulations and the Civil Account Code. There seems, for instance, scope for granting permission to such officers to sanction a number of small relaxations which are already recognised by the code in matters, such as joining time, pension, travelling allowance, and so forth, and to pass small exceptional payments, such as charge allowance, honorarium and the like, and the dispensing with certain requirements

as regards countersignature on bills and power to entertain minor establishments subject to fixed minimum rates, or in certain cases to sanction certain classes of non-recurring expenditure. His Honour also thinks that something should be done in extending the present contract system under which the contingencies are dealt with and carrying forward balances from one year to another in the manner suggested by the Accountant-General in his enclosed letter.

8. Turning lastly to (e), the measures suggested for *maintaining the dignity of important positions under Government*, the Lieutenant-Governor thinks that there is a good deal to be said from the point of view that of late years the position of Commissioners and Deputy Commissioners has in this matter somewhat deteriorated and there is room for something in the way of improving the position of these officers in the eyes of the public by restoring to them the use of such outward signs of office, as (for instance) the police guard at their houses and the use of mounted orderlies.

9. (C) The third head under which suggestions are asked relates to the *grant of larger powers to District Boards and municipalities*. In this connection I am to note that the whole of the financial relations between the local bodies and the provincial Government are at present under the consideration of the Local Government, and I am directed to enclose a copy of a report\* which was prepared on this subject last year under the orders of the Lieutenant-Governor, and which is at present under consideration.

I am also to note that the Municipal Act of this province has recently been recast, and that a Bill containing the proposals of the Local Government is now before the Government of India. The Lieutenant-Governor therefore would confine his attention to the following few points:—

- (1) He thinks that in time it may become possible to give greater powers to the District Boards in the matter of fixing their own rate of local cess and in imposing taxes in approved forms, but that any immediate action in this direction is out of the question.
- (2) He would also recommend to the consideration of your Commission a suggestion by the Commissioner of Rawalpindi that District Boards should be constituted as 'Excluded' Local Funds and not 'Included.'
- (3) There appears also to be a considerable feeling among local officers that less power should be given to Commissioners and to Government to interfere between the local bodies and their employés.
- (4) A good deal can doubtless be done to prevent local bodies from suffering as they are said to have suffered in the past in this province from excessive interference on the part of expert departments. This forms the subject of considerable complaint in the report to which allusion has been made above, and although the Lieutenant-Governor is not prepared to go to the same length as the author of that report, he recognises that something should be done in the direction of limiting such interference, and the matter is at present receiving his consideration in connection with the above report.

\* Not printed in present Volume.

#### APPENDIX VI.

No. 696 (Finl.), dated Lahore, 19th March 1908.  
From the Hon. Mr. E. D. Maclagan, C.S., Chief Secretary to Government, Punjab, to H. Wheeler, Esq., Secretary of the Decentralization Commission.

I am directed to forward herewith three statements showing the recommendation of Sir Thomas Gordon Walker regarding—

- (a) devolution of powers to the Local Government;
- (b) devolution of powers by the Local Government;
- (c) amendment of the statutory law.

[NOTE.—In the following statements charges requiring the sanction of the Government of India are printed in heavy type. The letters S, R, C and P indicate, respectively, proposals necessitating alterations in Law, Rules having the force of Law, Code and Practice.]

(a) Abstract of the proposals made by the Punjab Government for the devolution of powers to the Local Government.

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed, with limit.	Remarks.
	<i>Under the Civil Account Code.</i>			
1	Increases of Salaries and grant of special allowances.	Government of India ... Article 277, Civil Account Code.	Local Government in case of appointments up to Rs. 6,000 per annum; and in case of additional expenditure on establishment up to Rs. 50,000 per annum. The powers of the Local Government in regard to the exceptions to the article should be unlimited.	C.
2	Sanctions to charges over limits or outside conditions laid down.	Government of India ... Article 278-A, Civil Account Code.	Local Government limited in the case of imperial charges only to the amount of Rs. 10,000.	C.
3	Writing off powers ... ..	Government of India ... Article 279-A, Civil Account Code.	Local Government...	C.
4	Ditto ... ..	Audit Officer ... .. Article 989, Civil Account Code.	Deputy Commissioner up to Rs. 10. Accountant-General and Heads of Departments, up to Rs. 100.	C.
5	Power to undertake a new general service or duty, chargeable to provincial funds.	Government of India ... Article 283-4 (2), Civil Account Code.	Local Government...	C.
6	Power to create a permanent appointment carrying over Rs. 250 per mensem.	Government of India ... Article 283-4, (3) (a), Civil Account Code.	Local Government (up to Rs. 500 per mensem).	C.
7	Power to create temporary appointments or deputations carrying over Rs. 250 per mensem.	Government of India ... Article 283-4 (3) (b), Civil Account Code; articles 78-9, Civil Service Regulations.	Local Government (up to Rs. 500 per mensem), and subject in the case of deputation allowances, house rents, and allowances to Civil Surgeons for collateral railway charges, to any general rules made by Government of India.	C.
8	Power to abolish or reduce the emoluments of a permanent appointment carrying over Rs. 250 per mensem.	Government of India ... Article 283-4 (4), Civil Account Code.	Local Government (in cases where the pay does not exceed Rs. 500 per mensem).	C.
9	Power to create or abolish a class or grade of officers or to change its pay.	Government of India ... Article 283-4 (5), Civil Account Code.	Local Government ...	C.
10	Power to add to pay of officer or class of officers, though other increases are involved.	Government of India ... Article 283-4 (8), Civil Account Code.	Local Government (provided the emoluments are not charged under a transferred head).	C.
11	Power to continue, after the expiry of settlement, grants, &c., to local bodies.	Government of India ... Article 283-4 (10), Civil Account Code.	Local Government ...	C.
12	Power to frame Hill Allowance Code for Punjab hill stations.	Government of India ...	Ditto ...	P.
13	Power to sanction a new or to extend an existing settlement up 30 years: to sanction deviations from settlement forecast over 15 per cent. to sanction appointments of Assistant Settlement Officers.	Ditto ...	Ditto ...	P.

(a) Abstract of the proposals made by the Punjab Government for the devolution of powers to the Local Government—concluded.

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed, with limit.	Remarks.
	<i>Under the Civil Service Regulations.</i>			
14	Sanction to grant of honoraria—over—Rs. 200 (Imperial funds). Rs. 5,000 (provincial funds).	Government of India ... Article 72-4, Civil Service Regulations.	Local Government (up to Rs. 1,500).	C.
15	Revision of non-gazetted establishment over Rs. 3,000.	Government of India ... Article 76 (1), Civil Service Regulations, and 277 (4), Civil Account Code.	Local Government (up to Rs. 6,000).	C.
16	Power to make temporary service qualify for pension.	Government of India ... Article 363, Civil Service Regulations.	Local Government, if pension does not exceed Rs. 10 per mensem.	C.
17	Condonations of interruptions in service over three months.	Government of India ... Article 422, Civil Service Regulations.	Local Government up to 12 months in case of interruptions, and in other cases without limit.	C.
18	Condonations of deficiencies in service.	Government of India ... Article 423 (2), Civil Service Regulations.	Local Government ...	C.
19	Sanction to re-employment of pensioners.	Government of India ... Article 524, Civil Service Regulations.	Ditto ...	C.
20	Sanction to wound gratuities and pensions.	Government of India ... Article 739-40, Civil Service Regulations.	Local Government (up to extent of powers of Government of India at present).	C.
21	Transfers to foreign service of non-gazetted officers of less than 10 years' service.	Government of India ... Article 753, Civil Service Regulations.	Local Government ...	C.
22	Sanction to permanent travelling and conveyance allowances.	Government of India ... Articles 1048 and 1075, Civil Service Regulations.	Local Government, subject to any general rules made by Government of India.	C.
23	Power to abandon through lines of Communication.	Government of India ... Article 283-4 (14), Civil Account Code.	Local Government ...	C.

Abstract of the proposals of the Punjab Government for the devolution of powers to officers subordinate to it.

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed.	Remarks.
		FINANCIAL.		
1	Grant of pensions to all non-gazetted establishment.	Local Government (in case of persons drawing over Rs. 20 per mensem). Commissioners and Heads of Departments (in other cases). Article 918, Civil Service Regulations. Punjab Government No. 892, dated 27th March 1907.	Up to Rs. 50. { Up to Rs. 20... Commissioners. Heads of Departments. Deputy Commissioners.	C.
2	Power to exempt from personal appearance when drawing pension.	Commissioners and Heads of Departments. Punjab Government No. 892, dated 27th March 1907.	Deputy Commissioners.	C.
3	Grant of travelling allowance to officers in inferior service.	Commissioners and Heads of Departments. Punjab Government No. 892, dated 27th March 1907.	Ditto ...	C.
4	Sanction to writing off irrecoverable stores.	Heads of Departments ... Article 279, Civil Account Code. Punjab Government No. 892, dated 27th March 1907.	Authorised Medical Officers.	C.

*Abstract of the proposals of the Punjab Government for the devolution of powers to officers subordinate to it—cont.*

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed.	Remarks.
5	Sanction to payment of rents on Government buildings, &c.	Local Government and Commissioners and Heads of Departments. Article 98 (m) and (n), Civil Account Code.	Heads of Departments.	C.
6	Grant of travelling allowances beyond jurisdiction.	Commissioners within Punjab, Heads of Departments within their jurisdiction and Local Government beyond Punjab. Articles 57-8 Civil Service Regulations. Punjab Government No. 892, dated 27th March 1907.	The countersigning authority.	C.
7	Sanction to purchase of books, newspapers, &c.	Heads of Departments ... Article 98 (e), Civil Account Code. Punjab Government No. 892, dated 27th March 1907.	The officers for whom they are wanted (up to budget provision).	C.
8	Sanction to temporary excise establishment.	Financial Commissioner ... Article 98 (e), Civil Account Code. Punjab Government No. 892, dated 27th March 1907.	Commissioner ...	C.
9	Sanction to temporary establishment for Court of Wards estates.	Commissioners... Article 98 (e), Civil Account Code. Punjab Government No. 892, dated 27th March 1907.	Deputy Commissioners.	C.
10	Sanction to payment of municipal taxes on Government buildings.	Commissioners and Heads of Departments. Punjab Government No. 892, dated 27th March 1907. Article 98 (o), Civil Account Code.	Deputy Commissioners and authorised medical officers.	C.
11	Employment of temporary process-serving (income-tax) establishment.	Commissioners... Punjab Government No. 892, dated 27th March 1907.	Deputy Commissioners (up to budget provision).	C.
12	Sanction to alteration of date of birth in service book.	Commissioners and Heads of Departments. Article 55 (b), Civil Account Code.	Deputy Commissioners.	C.
13	Sanction to purchase of typewriters.	Commissioners... Punjab Government No. 892, dated 27th March 1907.	Ditto ...	C.
14	Sanction to local purchases of stationery.	Commissioners and Heads of Departments up to Rs. 20. Punjab Government No. 2264, dated 31st October 1905. Article 98 (g), Civil Account Code. Public Works Department Code, article 721.	Deputy Commissioners and officers subordinate to Heads of Departments, up to Rs. 20. Commissioners and Heads of Departments, up to Rs. 500.	C.
15	Sanction to local purchases of European stores.	Commissioners and Heads of Departments, up to Rs. 15. Punjab Government No. 892, dated 27th March 1907. Public Works Department Code, appendix 30, article 3.	Ditto ...	C.
16	Sanction to transfers of charge not at headquarters.	Local Government ... Article 53, Civil Service Regulations, and Consolidated Circular No. 11, paragraph 3.	Commissioners and Heads of Departments.	C.



*Abstract of the proposals of the Punjab Government for the devolution of powers to officers subordinate to it—cont.*

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed.	Remarks.
17	Sanction to acceptance of honoraria.	Up to Rs. 100, Heads of Departments. Up to Rs. 500, Local Government. Up to Rs. 1,000, Government of India. Over Rs. 1,000, Secretary of State. Article 72, Civil Service Regulations.	Commissioners and Heads of Departments, up to Rs. 300.	C.
18	Sanction to temporary appointments and deputations of non-gazetted officers within the province.	Local Government ... Article 78, Civil Service Regulations.	Commissioners and Heads of Departments.	C.
19	Fixing emoluments of officers reduced as a punishment.	Local Government ... Articles 154 and 157-B (b), Civil Service Regulations.	Ditto ...	C.
20	Grant of permission to retain old rates of pay when pay of an appointment is changed.	Local Government ... Article 158 Civil Service Regulations.	Ditto ...	C.
21	Grant of a charge allowance	Local Government ... Article 161, Civil Service Regulations.	Commissioners and Heads of Departments (in case of all non-gazetted officers).	C.
22	Extension of joining time ...	Local Government ... Article 180, Civil Service Regulations.	Commissioners and Heads of Departments.	C.
23	Grant of transit pay and travelling allowance.	Local Government ... Article 188, Civil Service Regulations.	Ditto ...	C.
24	Exemption from loss of appointment for overstay of leave.	Local Government ... Article 230, Civil Service Regulations.	Commissioners and Heads of Departments (in cases when the officer is not in fault).	C.
25	Exemption from loss of allowances.	Local Government ... Article 230, Civil Service Regulations.	Ditto ...	C.
26	Condonations of interruptions and deficiencies in service.	Government of India or Local Government. Articles 422-23, Civil Service Regulations.	Local Government without limit, and to Commissioners and Heads of Departments, up to six months or in the case of officers drawing up to Rs. 50 per mensem.	C.
27	Continuance in service of Provincial Service officers over 60 years of age.	Local Government ... Article 459, Civil Service Regulations.	Ditto ...	C.
27(a)	Power of compulsory retirement at 55.	Various ... Article 459, Civil Service Regulations.	Heads of Departments and Deputy Commissioners in case of their non-gazetted subordinates.	P.
28	Re-employment of pensioners.	Local Government (up to one year or in the case of employment under local funds). Articles 520 and 524, Civil Service Regulations.	Commissioners and Heads of Departments.	C.
29	Grant of privilege leave to Gazetted Officers.	Local Government ... Article 841, Civil Service Regulations.	Ditto ...	C.
30	Calculation of travelling allowance by route other than the shortest.	Local Government ... Articles 996-97, Civil Service Regulations.	Ditto ...	C.
31	Reimbursement to non-officials of travelling expenses for educational conferences.	Local Government ... Article 1004, Civil Service Regulations.	Director of Public Instruction.	C.
32	Special travelling allowances.	Local Government ... Article 1045, Civil Service Regulations.	Local Government, up to Rs. 100 per mensem.	C.
33	Grant of halting allowance for over ten days.	Local Government ... Article 1056, Civil Service Regulations.	Commissioners and Heads of Departments.	C.
34	Grant of actual expenses during halt.	Local Government ... Article 1059, Civil Service Regulations.	Ditto ...	C.
35	Grant of travelling allowance to go before a medical board.	Local Government ... Article 1138, Civil Service Regulations.	Ditto ...	C.

*Abstract of the proposals of the Punjab Government for the devolution of powers to officers subordinate to it—cont.*

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed.	Remarks.
36	Location of headquarters ...	Local Government ... Article 1060, Civil Service Regulations.	Commissioners and Heads of Departments.	C.
37	Grant of special cumulative allowance.	Local Government ... Article 1061, Civil Service Regulations.	Ditto ...	C.
38	Grant of examination travelling allowance.	Director of Land Records, Article 1116, Civil Service Regulations.	Deputy Commissioners (and a clerk might be allowed to countersign).	C.
39	Delegation of power of countersignature.	Government of India... Articles 1159 and 1162, Civil Service Regulations.	Authorised Extra Assistant Commissioners.	C.
40	Investigation of arrear claims.	Local Government ... Article 5 (c), Civil Account Code.	Commissioners and Heads of Departments.	C.
41	Revision of establishment...	Local Government ... Article 57, Civil Account Code.	Commissioners and Heads of Departments, subject to rates of pay fixed by Government.	C.
42	Dispensing with the need of submitting vouchers over Rs. 10.	Government of India... Article 88 (a), Civil Account Code.	Government of India The limit to be raised to Rs. 100.	C.
43	Countersignature of contingent bills.	Commissioners... Article 90, Civil Account Code.	Deputy Commissioners.	C.
44	Authorization of land acquisition officer to issue cheques.	Local Government ... Article 103, Civil Account Code.	Commissioners ...	C.
45	Re-appropriation between major heads.	Local Government ... Articles 158 and 295 (a) (i), Civil Account Code.	Commissioners and Heads of Departments.	C.
46	Sanction to non-recurring expenditure.	Local Government ... Article 278-A (b), Civil Account Code.	Ditto ...	C.
47	Writing-off of payments disallowed within six months.	Government of India... Article 279-A, Civil Account Code.	Commissioners, Accountant-General and Heads of Departments, up to Rs. 100, Deputy Commissioners, up to Rs. 10.	C.
48	Temporary appointments and deputations.	Local Government ... Article 283-4 (b), Civil Account Code.	Commissioners and Heads of Departments, up to Rs. 50 and six months.	C.
49	Renewal of lapsed sanctions	Local Government ... Article 293, Civil Account Code.	Commissioners and Heads of Departments.	C.
50	Sanction to telephones ...	Local Government ... Article 98, Civil Account Code.	Ditto ...	C.
51	Supply of hand-made paper	Local Government ... Stationery Manual, volume I, section 1, rule 16.	Heads of Departments.	C.
52	Power to indent direct from India Office for stores.	Local Government ... Finance Department resolution No. 185, dated 10th January 1883.	Heads of Departments and Principals of Colleges.	P.
53	Sanction to Class C Contingencies.	Local Government and Financial Commissioner. Various rules.	Ditto ...	P.
54	Sanction to printing at private presses instead of by the Government Contractors.	Local Government (except in small cases). Punjab Government No. 236, dated 15th February 1907.	Commissioners and Heads of Departments, up to Rs. 100 in each case.	This proposal involves an alteration in the contract.
55	Sanction to supply of liveries and warm clothing.	Various ... Revenue Circular No. 16, paragraph 29. Punjab Government No. 1395, dated 25th April 1906.	Deputy Commissioners or Heads of offices concerned and Heads of Departments.	P.
56	Compensation for dearness of provisions.	Local Government ... Article 72, Civil Account Code.	Commissioners to fix the staple.	P.
57	Sanction to cutcherry fund budget and establishment and countersignature of bills of the fund.	Commissioners ... Accountant-General's Standing Order No. 39 (b), and Punjab Government Nos. 918 and 690, dated 16th May 1893 and 10th April 1893.	Deputy Commissioners	P.

Abstract of the proposals of the Punjab Government for the devolution of powers to officers subordinate to it—cont.

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed.	Remarks.
58	Sanction to advances to sub-postmasters for sale of stamps.	Collector ... .. Punjab Government notifications Nos. 1498, 1500 dated 5th June 1900, rule VII (a).	Treasury Officer ...	R.
59	Registration charges (establishment and contingencies) and refunds of revenue.	Inspector-General ... .. Registration Manual— Standing Order No. II, paragraphs 3, 5, 13, pages 80, &c. Standing order No. IV, paragraphs 17 and 23, pages 73 and 111. Rules 11 and 58, pages 51 and 56.	Registrar ... ..	Salaries of Sub-Registrars must be approved by Government of India.
60	Pensions—(a) payments to heirs, (b) payment of arrears.	Financial Commissioner, Accountant-General and Commissioners. Rule 7 under Act XXIII of 1871. Rule 6 under Act XXIII of 1871. Revenue Circular No. 38, paragraph 2. Punjab Government No. 2265, dated 18th November 1907.	Deputy Commissioners	R.
61	Purchase of tentage ... ..	Financial Commissioner and Committee of inspection, and Local Government in excess of scale. Paragraph 7, Revenue Circular No. 24.	Commissioners and Heads of Departments.	P.
62	Sanction of allowances to Hospital Assistants for collateral charges.	Local Government ... .. Consolidated Circular No. 11, paragraph 42.	Inspector-General of Civil Hospitals.	P.
63	Purchase of furniture for <i>dāk</i> bungalows.	Commissioners ... .. Consolidated Circular No. 28, paragraph 26, on page 7.	Deputy Commissioners, up to budget provision.	P.
REVENUE				
64	Appeals against method of partition.	Commissioners ... .. Land Revenue Act, section 118.	Collectors ... ..	S.
65	Exercise of a Collector's powers.	Collector ... ..	Any Sub-Divisional Officer.	S.
65 (a)	Power to make rules under section 155 (3), Land Revenue Act, and section 106, Land Tenancy Act.	Government of India and Local Government.	Financial Commissioner.	S.
65 (b)	Local Government's powers of continuing assignments.	Local Government ... .. Revenue Circular No. 37, paragraph 8 II, III, IV.	Commissioners ... ..	P.
66	Regulation of patwaris' circles...	Commissioners ... .. Land Revenue Rule 1.	Collectors ... ..	R.
67	Alterations in kanungo and patwar establishments.	Financial Commissioner... .. Land Revenue Rules 2-5.	Commissioners ... ..	R.
68	Approval of candidates for district kanungoship.	Director of Land Records Land Revenue Rule 105.	Collectors ... ..	R.
69	Alteration of scale of <i>zaildars</i> ...	Local Government and Commissioners. Land Revenue Rule 165 (i) and (ii).	Financial Commissioner and Commissioners.	R.
70	Approval of non- <i>lambardar</i> candidates for <i>zaildari</i> .	Commissioners ... .. Land Revenue Rule 166.	Collectors ... ..	R.
71	Appointment of minors to be <i>zaildar</i> .	Commissioners ... .. Land Revenue Rule 169. Punjab Government No. 2936, dated 12th October 1907.	Ditto ... ..	R.
72	Sanction to absence of <i>zaildar</i> for over one year.	Financial Commissioner Land Revenue Rule 188.	Ditto ... ..	R.
73	Refunds of land revenue ...	Commissioners ... .. Land Revenue Rules 256-58. Punjab Government No. 2936, dated 12th October 1907.	Ditto ... ..	R.
74	Exercise of powers of revenue revision.	Financial Commissioner ... .. Section 16 (3), Land Revenue Act. Section 84 (3), Land Revenue Act.	Commissioners ... ..	R.
75	Disposal of cases of undisputed <i>lambardari</i> .	Collectors ... .. Land Revenue Rule 179.	Assistant Collector, 1st grade.	R.
76	Grant of pensions to heirs of assignees.	Local Government ... .. Revenue Circular No. 37, paragraph 9.	Financial Commissioner	P.
77	Consolidation of revenue-free holdings.	Local Government ... .. Revenue Circular No. 37, paragraph 53.	Ditto ... ..	P.
78	Sanction to (a) di-alluvion assessments and to changes in rent-roll caused by them, and to	Commissioners and Financial Commissioner. Revenue Circular No. 33.	Collectors and Tahsil-dars.	P.

Abstract of the proposals of the Punjab Government for the devolution of powers to officers subordinate to it—cont.

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed.	Remarks.
79	(b) Reduction and increases of land revenue.	Financial Commissioner ... Revenue Circular No. 35, paragraph 7.	Commissioners ... ..	P.
80	Sanction to entertainment of temporary record-room establishment.	Financial Commissioner ... Revenue Circular No. 42, paragraph 13.	Deputy Commissioners, up to budget provision.	P.
81	Sanction to the institution of suits for rent of <i>nazul</i> properties.	Financial Commissioner ... Revenue Circular No. 45, paragraphs 8 and 17.	Ditto ... ..	P.
82	Powers of disposal of acquired lands on abandonment by Government.	Financial Commissioner ... Revenue Circular No. 54, paragraph 83.	Commissioners ... ..	P.
83	Remission of land revenue on lands taken up by Department Public Works.	Financial Commissioner ...	Collectors ... ..	P.
84	Remission of loans under Act XII of 1884.	Commissioners ... .. Revenue Circular No. 55, paragraph 16 (9).	Ditto ... ..	P.
85	Transfers of leases of waste lands	Local Government ... .. Revenue Circular No. 56, paragraph 62, form A, part II, 9, page 21.	Ditto ... ..	P.
86	Sanction to sales of ancestral land in execution of decrees.	Financial Commissioner ... Commissioners. Revenue Circular No. 66, paragraph 9.	} Commissioners ... ..	P
87	Sanction to sale of <i>nazul</i> properties.	Financial Commissioner and Commissioners. Punjab Government circular No. 3—1661, dated 12th August 1907.		
COURT OF WARDS.				
88	Exercise of Financial Commissioner's powers.	Financial Commissioner ... Act II of 1903.	Commissioners ... ..	S.
89	Leases of estates of Wards of Court.	Commissioners ... ..	Deputy Commissioners (in cases up to Rs. 5,000).	P.
90	Sanction to suits by Court ...	Financial Commissioner ... Section 20 of Act II of 1903.	Commissioners and Deputy Commissioners (up to Rs. 1,000).	P.
91	Countersignature of bills against the rate.	Commissioners ... .. Rule (c), page 14 of Revenue Circular No. 57.	Deputy Commissioners, up to budget provision.	P.
92	Expenditure of funds provided for in scheme of management.	Commissioners ... .. Rule (h), page 14 of Revenue Circular No. 57	Deputy Commissioners, up to budget provision.	P.
93	Contingent Expenditure ...	Commissioners ... .. Accountant-General's S. O. K. Rule (viii); page 13 of Revenue Circular No. 57.	Deputy Commissioners, up to Rs. 100.	P.
EXCISE.				
94	Refunds and remissions of excise revenue.	Commissioners and Excise Commissioner. Paragraph 19 (vii), page 17 of Excise Pamphlet.	Collectors, up to Rs. 200	P.
95	Transfer of locality of excise shops.	Excise Commissioner ... .. Paragraph 27 (3), page 21 of Excise Pamphlet, part I.	Collectors ... ..	P.
96	Resale of forfeited excise licenses.	Excise Commissioner ... .. Rules 9 to 12 of the licensing rules, page 94 of Excise Pamphlet, part I.	Ditto ... ..	P.
97	Sanctions to rewards in excise cases over Rs. 50.	Excise Commissioner ... .. Paragraph 15, Rule VII-A, page 15 of Excise Pamphlet, part I.	Ditto ... ..	P.
98	Acceptance of highest bid at auctions.	Excise Commissioner ... .. Paragraph 26 (4), page 20, Excise Pamphlet, part I.	Ditto ... ..	P.
99	Conferment of subordinate civil judicial powers.	Local Government ... .. Section 64, Act XVIII of 1864.	Hon'ble Judges ... ..	S.
GENERAL ADMINISTRATION.				
100	Powers of registering members of criminal tribes and grant of passes.	Deputy Commissioner ... Section 11, Act XXVII of 1871.	Any authorized Magistrate.	S.
101	Powers to sanction location of punitive police.	Local Government ... .. Section 15 of Police Act.	Commissioners ... ..	S.
102	Removal of lunatic prisoners to asylum.	Local Government ... .. Act III of 1900, section 30.	Inspector-General of Prisons.	S.

*Abstract of the proposals of the Punjab Government for the devolution of powers to officers subordinate to it—concluded.*

Serial No.	Subject.	Authority who can now sanction, with reference.	Authority proposed.	Remarks.
103	Empowering of officers under Land Acquisition Act and Income Tax Act.	Local Government ... ..	Financial Commissioner.	S.
104	Power to fix fines ... ..	Local Government ... .. Section 12, Act I of 1871.	Commissioners ... ..	S.
105	Power to give orders regarding vagrants.	Local Government ... .. Section 46, Punjab Laws Act IV of 1872.	Ditto ... ..	S.
106	Power to compensate lessees of ferries.	Local Government ... .. Section 10, Act VIII of 1878.	Ditto ... ..	S.
107	Grant of leave in general ...	Local Government ... .. Articles 332, 339, 329, Civil Service Regulations.	Posting authority. (In note 1 to articles 332 and 339 substitute for "Local Government" "the authority granting the leave").	C.
108	Powers of Local Government over revenue establishment.	Local Government ... ..	Financial Commissioner.	P.
109	Appointment of ministerial officers in district offices, including Head Treasury Clerk, <i>Sadar Wasil Baqi Nawis</i> , <i>Nazir</i> , District Kanungo and Excise <i>Daroga</i> .	Commissioners ... .. Director of Land Records. Excise Commissioner. Various, including Land Revenue Rule No. 106.	Deputy Commissioners	P.
110	<i>Kursi Nashin</i> certificates ...	Commissioners ... .. Commissioner Delhi's No. 6, dated 23rd January 1875.	Ditto ... ..	P.
111	Grant of leave to— (a) Subordinates ... .. (b) Gazetted Officers ... .. (c) Civil Surgeons ... ..	Commissioners ... .. Consolidated Circular No. 4, paragraph 17. Commissioners ... .. Consolidated Circular No. 4, paragraph 17. Local Government Consolidated Circular No. 11, paragraphs 10, 11.	Collectors ... .. Ditto ... .. Inspector - General of Civil Hospitals.	P. P. P.
112	Postings and appointments, &c., of Assistant Surgeons (provincial) and promotions.	Local Government ... .. Consolidated Circular No. 11, paragraph 21.	Ditto ... ..	P.
113	Employment of Extra Assistant Surgeons and extension of their employment.	Local Government ... .. Consolidated Circular No. 4, paragraph 17.	Ditto ... ..	P.
114	Promotions of 2nd class Civil Surgeons.	Local Government ... .. Consolidated Circular No. 11, paragraph 9.	Ditto ... ..	P.
115	Appointment of military officers to hold collateral (civil) medical charge.	Local Government ... .. Consolidated Circular No. 11, paragraph 5.	Ditto ... ..	P.
116	Declaration of Medical Officers to be plague inspecting officers.	Local Government ... .. Punjab Government notification No. 345, dated 11th November 1897.	Ditto ... ..	P.
117	Sanction of levy of fees at fairs	Financial Commissioner... .. Commissioners. Agriculture Circular No. 2, paragraph 2. Consolidated Circular No. 41, paragraph 58.	Deputy Commissioners	P.
118	Appointments of chaukidars ...	Deputy Commissioners ... .. Rule 8, Punjab Government notification No. 2778, dated 15th August 1876.	Ditto ... ..	R.
119	Alteration of scale of chaukidars	Commissioners ... .. Rule 4, Punjab Government notification No. 2778, dated 15th August 1876.	Ditto ... ..	R.
120	Sanction to prosecutions under Epidemic Diseases Act.	Commissioners ... .. Punjab Government Circular No. 8 of 1902.	Ditto ... ..	P.
FORESTS.				
121	Forest powers ... ..	Local Government ... .. Act and Code.	Financial Commissioner.	C.

(c) Statement of powers now reserved by law to the Governor-General in Council which might in the opinion of the Lieutenant-Governor be entrusted to the Local Government.

Act.	Section.	Power.
1 { VIII of 1851 ...	2	To vary scheduled rates of toll.
XV of 1864 ...	1	
2 XXXVI of 1858 ...	17-C	To move lunatics, beyond province, on concurrence of Local Government prepared to accept charge.
3 V of 1861 ...	2	To change rates of police pay.
4 XXIII of 1863 ...	...	To dispose of Crown lands without restriction,—see rules in Punjab Government No. 1179 S., dated 3rd September 1885, framed with sanction of Government of India.
5 VII of 1870 ...	22	To make rules regarding entertainment of process-servers.
6 VIII of 1870 ...	1	To issue notifications regarding female infanticide.
7 I of 1871 ...	12	To vary scale of fines on impounded cattle.
8 V of 1871 ...	34	To make rules regarding convicts undergoing transportation within the province.
9 XXVII of 1871 ...	2 and 5	To notify criminal tribes.
	15	To make arrangements for settlements or removal of criminal tribes.
	17	To place them in a reformatory settlement.
	18	To make rules under this section.
10 IV of 1872 ...	39-C	To fix taxation for village police.
11 VIII of 1873 ...	50-A	To make rules under Punjab Laws Act.
	75	To make rules for carrying out Canal Act (except as regards charges) (section 75 (4)).
12 IX of 1874 ...	11	To create Government work-houses.
	36	To make rules for work-houses.
13 XIV of 1874 ...	5 or 5-A	To extend enactments to scheduled districts.
14 XIX of 1876 ...		10
15 III of 1877 ...	14	To regulate salaries of registering officers.
	78	To make rules regarding details of registration operations.
	26	To disforest reserved forests.
	70	To alter fines for cattle trespass.
16 VII of 1878 ...	77	To make rules under the Act.
	5	To confirm rules for destruction of records.
17 III of 1879 ...	4	To extend rules to cantonments.
18 XIV of 1879 ...	4	To extend Vaccination Act to cantonments, 'subject to control' of Government of India ( <i>cf.</i> , section 4 of XIV of 1879).
19 XIII of 1880 ...	4	To extend Vaccination Act to cantonments, 'subject to control' of Government of India ( <i>cf.</i> , section 4 of XIV of 1879).
20 XXVI of 1881 ...	138	To appoint notaries public.
	11 (2)	To alter constitution of and also proportion of salaried members of district boards.
21 XX of 1883 ...	30	To approve of local taxation.
	55	To sanction investments.
	36	To make rules regarding registration of births and deaths.
22 VI of 1886 ...	4	To make an order for a tramway on land not within limits of municipality or cantonment.
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