

INDIAN STATUTORY COMMISSION

VOLUME IX

MEMORANDUM

SUBMITTED BY THE GOVERNMENT OF

The United Provinces

TO THE INDIAN STATUTORY
COMMISSION

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No. Ref. 72.

FROM

T. SLOAN, Esq., I.C.S.,
OFFICER ON SPECIAL DUTY,
UNITED PROVINCES,

To

THE SECRETARY,
INDIAN STATUTORY COMMISSION,
ROYAL COURTS OF JUSTICE,
STRAND, LONDON, ENGLAND.

Dated Naini Tal, May 16, 1928.

SIR,

I AM directed to inform you that copies of the first portion of the material which the Government of the United Provinces propose to submit for the consideration of the Indian Statutory Commission are being despatched by this week's mail direct to you in London. This portion consists of a report of the working on the reformed system of Government in the United Provinces, arranged in the following parts :—

- (1) Introductory.
- (2) Atmosphere.
- (3) The Executive Government.
- (4) Relations with the Government of India and the Secretary of State.
- (5) Administration of departments A—Reserved.
- (6) The Legislature.
- (7) The Press.
- (8) Indian States.

(2)

2. This report has received the approval of the Governor in Council. Owing to the refusal of two of the present Ministers to submit any material direct to the Commission, His Excellency the Governor has not found it possible to take the ministers into consultation during the preparation of the report or to obtain their comments in regard to it. For this same reason the preparation of accounts of the administration of the transferred departments and of other matters concerning the transferred side have been unavoidably delayed. I am, however, to say that every effort is being made to hasten the completion of these accounts and to ensure their despatch to you at an early date. In the event of a change in the ministerial situation His Excellency proposes to consult the ministry as a whole and to forward their views.

I have the honour to be,

SIR,

Your most obedient servant,

T. SLOAN,

Officer on Special Duty.

No. Ref. 111.

FROM

T. SLOAN, Esq., I.C.S.,

OFFICER ON SPECIAL DUTY,

UNITED PROVINCES,

To

THE SECRETARY,

INDIAN STATUTORY COMMISSION,

ROYAL COURTS OF JUSTICE,

STRAND, LONDON, ENGLAND.

Dated Naini Tal, August 8, 1928.

SIR,

In continuation of this Government's letter no. Ref. 72, dated May 16, 1928, I am directed to inform you that eighteen copies of the second volume of the Report on the Working of the System of Government, United Provinces, 1921 to 1928, are being despatched to your office in new Delhi to-day. This volume contains accounts of the administration of the transferred departments, including the education and local self-government departments, and in addition an account of the system of representation of this province in the Indian legislature.

2. The accounts of the administration of the departments under the Ministers for Education and Agriculture have been prepared under the orders of the Governor in Council, who alone is responsible for their form. The two ministers who held charge of these departments up till June 8, 1928, refused to submit any material direct to the Commission and their successors in office preferred not to make them selves responsible for accounts of the working of the departments so soon after they had taken office. The Governor in Council therefore took

(2)

upon himself the responsibility for the preparation and submission of the accounts. The material dealing with the departments under the Minister for Local Self-Government has been prepared under the orders of that minister and has the approval of the Governor acting with his Minister.

3. I am to add that all the material which the Governor in Council has so far submitted to the Commission has been placed before the ministers. Any views which the ministers desire to submit to the Commission will be forwarded at a later date.

I have the honour to be,

SIR,

Your most obedient servant,

T. SLOAN,

Officer on Special Duty.

No. Ref. 167.

FROM

T. SLOAN, Esq., I.C.S.,
OFFICER ON SPECIAL DUTY,
UNITED PROVINCES,

To

THE SECRETARY,
INDIAN STATUTORY COMMISSION,
CAMP, INDIA.

Dated Lucknow, November 22, 1928.

SIR,

IN continuation of this Government's letter no. Ref. 111, dated August 8, 1928, I am directed to inform you that thirty-eight copies of the third volume of the Report on the Working of the System of Government, United Provinces, 1921 to 1928, have been despatched to you to-day under separate cover. This volume contains certain proposals for changes in the constitution.

2. These proposals embody the views of the two Members of His Excellency the Governor's Executive Council. His Excellency Sir Malcolm Hailey has been associated with the members in the discussions in the course of which these proposals were developed. Since, however, he had himself made certain proposals as Governor of the Punjab, before assuming charge of the Governorship of this province, and since he has not yet had sufficient experience of the special conditions of this province to enable him with confidence to make proposals on a subject so important and so dependent on local conditions, he has thought it right that the proposals should go forward as those of the Members of his Council.

(2)

3. I am to add that these proposals are being placed before His Excellency's Ministers and any views which the Ministers desire to submit to the Commission will be forwarded at a later date.

I have the honour to be,

SIR,

Your most obedient servant,

T. SLOAN,

Officer on Special Duty.

The volumes referred to in the above three letters will be found respectively in the following portions of the present volume, which comprises the three original volumes :—

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PART I.

INTRODUCTORY.

THE United Provinces stretch from the plains of Bihar on the east to the plains of the Punjab on the west and from the low mountain ranges of Central India on the south to the immense barriers which divide British India from Tibet and Nepal on the north. They include four distinct tracts of country :—

Geographical position.

- (1) portions of the Himalayas, including the Kumaun division which consists of three hill districts, two entirely in the hills and one-half in the hills and half in the submontane belt;
- (2) the sub-Himalayan tract;
- (3) the great Gangetic plain; and
- (4) portions of the hill systems of Central India.

The first two of these tracts are infertile and support a very sparse population, and the Central Indian plateau is almost equally infertile, though better populated. The soil of the Gangetic plain, however, possesses an extreme fertility, and here the density of the population rises from five hundred and twelve persons per square mile in the west to five hundred and fifty-nine in the centre and seven hundred and eighteen in the east, which gives the province, as a whole, a greater population per square mile than any other province in India. Its area, excluding the states of Rampur, Tehri and Benares, is 106,000 square miles, or just slightly less than that of the British Isles. In Benares, Allahabad, Muttra, Ajodhya and Hardwar the United Provinces contain some of the places most sacred in all India to Hindus; in Lucknow the centre of the Nawabi culture and in Agra an ancient seat of the Moghul dynasty. They have, therefore, a particular place in the affections both of Hindus and of Muhammadans.

2. The province of Agra originally formed part of the presidency of Fort William. It received an individual status in 1834 as the presidency of Agra, and two years later became the Lieutenant-Governorship of the North-Western Provinces. The province of Oudh was annexed in 1856 and became a Chief Commissionership with a separate administration. The two provinces were first brought together in 1877 under the Lieutenant-Governor of the North-Western Provinces and

History.

Chief Commissioner of Oudh, and in 1902 were finally amalgamated in a single Lieutenant-Governorship and became known as the United Provinces of Agra and Oudh. In 1921 a further change was made when the provinces were placed under a Governor.

Population.

3. The population of the provinces at the last census in 1921 was just over forty-five million. The great mass of the people are simple peasants who till the soil and have few interests outside their village life. The number of large and important towns is considerable. Allahabad, Lucknow, Cawnpore, Benares, Agra, Bareilly and Meerut all have a population exceeding 100,000. Nevertheless, only one hundred and six people out of every thousand in the province live in towns. The remaining eight hundred and ninety-four are to be found in the villages. That portion of the population which is engaged in professional, commercial and industrial pursuits forms, therefore, but a very small part of the whole. Cawnpore, with its large and successful textile mills and tanneries, is an important commercial centre; but the province, as a whole, is essentially an agricultural rather than an industrial one. Out of every thousand persons seven hundred and sixty-seven depend for their support on agriculture and only one hundred and sixty-two on trade and industry.

Religions.

4. Less affected by successive conquests than some other parts of India the districts which now comprise the United Provinces have remained predominantly Hindu. Out of every thousand people no fewer than eight hundred and forty-six are Hindus. Muhammadans form by far the most important minority with one hundred and forty-two and Christians and Aryas come far behind with only four each. It is, however, of interest to note that the proportion of town dwellers is considerably larger among Muhammadans than among Hindus, and of the urban population Muhammadans constitute thirty-seven per cent. as compared with fifty-nine per cent. of Hindus.

Education.

5. The province is backward in mass education. The test of literacy at the last census was the simple one of ability to write a letter to a friend and to read the answer. Even so, only 3·7 per cent. of the total population were returned as literate, only 6·5 per cent. of the male population, and only 9 per cent. of that portion of the population which was twenty years of age or over. Among females only six in every thousand satisfied the test. These figures show how little the people are able to avail themselves even of such means as there are of acquiring information as to what is going on in the world outside their own immediate neighbourhood.

6. The province is divided into forty-eight districts, each under a district officer known as collector in the province of Agra (excluding Kumaun) and as deputy commissioner in the province of Oudh and the Kumaun division of the Agra Province. These districts are grouped into ten commissioner-ships, each comprised of from three to six districts. Up to recent times the district officer was the head of every branch of administration in his district. Since the introduction of the Reforms this is no longer the case, but the district is still essentially the administrative unit of the province. Districts, again, are sub-divided into *tahsils* each under a *tahsildar*. The *tahsil* is the unit for the collection of land revenue which contributes to the provincial exchequer as much as all other sources put together. Here we find the explanation of the existing administrative system. It has been evolved from a system of which the primary function was the collection of the Government's land dues. The principal problems of the province are still connected with the land and its tenure, and it is significant that the most important legislation with which the legislative council has had to deal since 1921 has been measures affecting the relations of landlord and tenant first in Oudh and later in Agra, and the Bill to regulate the system of the assessment of the land revenue in both provinces.

Admin-
strative
system.

(The Imperial Gazetteer of India, volume XXIV, pages 132—276, and the Census of India, 1921, volume XVI, Parts I and II, should be referred to for fuller information.)

PART II.
ATMOSPHERE.

7. Results must be judged with reference to the circumstances in which they have been achieved. Any attempt to estimate the results of a great constitutional experiment without reference to the atmosphere prevailing at and since its introduction would be valueless and, even though some repetition is involved thereby, it will be of advantage at the outset to bring out in clear outline certain features of the conditions prevailing in the province during and since 1921. The reformed constitution was introduced while the non-co-operation movement was rapidly gaining strength. As its name implies, the object of that movement was to isolate the Government by persuading the people to have no dealings with it. The followers of Mr. Gandhi, the leader of the movement; were thus precluded from assisting the Government to make the new system a success. Their policy was to smash it, but they made what some people considered a fatal mistake in tactics by adhering to their watchword of non-co-operation even to the extent of not entering the new legislative councils. Had they entered the councils it is possible that they could have rendered the system unworkable from the very start. Outside the councils they exerted every effort by vilifying the Government and inflaming racial feeling to bring the whole machinery of the administration to a standstill. For a time the agitation appeared to command popular support, and it required considerable courage on the part of those who stood out against it. Much credit is, therefore, due to those who determined to assist the Government in working the new system. Had they, too, joined the popular movement the Reforms had been doomed from the outset. On the contrary, they entered the first legislative council with a real desire to work the new constitution. This must not be forgotten, even when it is necessary to point out that their attitude in the council was at times embarrassing to Government and, indeed, a source of weakness at a time of great difficulty. The atmosphere prevailing outside could not be kept out of the council chamber. The members of the legislature as a whole could not fail to be affected by the widespread agitation, and those of them who were Muhammadans were necessarily influenced by the *Khilafat* movement. It was, therefore, almost inevitable that in practice they should tend to take a charitable view of the activities which their better judgement led them to condemn, and that

Non-co-
operation
and
Khilafat
movement.

in consequence they should make the measures which Government was compelled to take in order to restore law and order the target of constant and ill-informed criticism. At the very outset, therefore, the constitution was subjected to a severe strain. The realization by responsible people of the real menace of the situation and the blunders of the open adversaries of Government enabled the constitution to survive, but not, as will be seen later, without an important change in the internal mechanism of the executive.

**Communal
tension.**

8. By 1923 the situation had changed. Such success as non-co-operation achieved in this province was due not so much to any anti-Government feeling among the great mass of the population as to economic causes, partly the result of the world-upheaval and partly the result of the breakdown of the Oudh Rent Act in the face of increasing pressure on the soil and land hunger in the southern districts of Oudh. With the general fall in prices and the passage of long overdue agrarian legislation in Oudh a rapid change took place in the attitude of the rural population and the old friendly relations with Government were soon restored. With the restoration of law and order in the countryside the tension in the legislature also disappeared. The political sky had lightened, but on the horizon a small black cloud had appeared and was beginning to show an alarming tendency to spread. Energy had begun to be diverted from politics to communal controversy, and this since 1924 has been the principal feature of the life of the province. It would be out of place here to explain the causes which led to the political alliance between the Hindus and Muhammadans during the latter years of the War and the opening years of the new system of Government. Suffice it to say that by 1924 the great mass of the Muhammadans had lost any enthusiasm that they had had for political alliance with the Hindu majority and begun to realize what their position was likely to be if constitutional reform was carried further along the road leading to responsible Government without adequate safeguards. Friendly relations gave place to tension, and both parties began to organize in the name of religion. The *shuddhi* movement and *sangathan* on the one side and *tabligh* and *tanzim* on the other came into being and helped to widen the breach. Every festival became a possible occasion for collision, and during the last three years such collisions have been frequent and in many cases serious. As in the previous period, and as, indeed, must always be the case, conditions outside had their influence on those within the legislature. In the second council religious feeling was strong, but latent rather than open. In the present council it is

stronger and more apparent. The two important groups—the *siccarajist* and nationalist—for practical purposes form one Hindu party. Though for tactical reasons they have refrained from bringing forward any motion which would be regarded by the Muhammadans as a direct challenge, their attempts to enlist Muhammadan support have so far failed.

9. The real significance of this communal feeling is political rather than religious. Were the Hindus and Muhammadans approximately equal in numbers and general influence the situation would be entirely different. The ultimate cause of the present tension is less due to religious antipathy than to the fear of a minority community that the Government of the country is going to pass into the hands of the majority, from whom they do not expect to receive fair treatment. It is for that reason that the existing tension is so significant at a time when further constitutional changes are under consideration.

Significance
of
communal
tension.

10. Even a brief description of the atmosphere would not be complete without some reference to financial conditions and to the spirit of the services which were called upon to work the new system. During the War, and for a short time after its close, all schemes involving new expenditure had been held up, with the result that the provincial balances had increased to a very large figure. The apparent result of the financial settlement, made immediately prior to the introduction of the reformed constitution, was to increase the provincial resources by nearly 1.6 crores after payment of the very large contribution of 2.4 crores to the Government of India. But the benefit was *only* apparent. The rise in prices which followed the closing of the War made it necessary to grant substantial increases of pay to all Government servants; these were estimated at the time to cost 114 lakhs, though they ultimately cost considerably more. The balance was swallowed up by additional expenditure resulting, directly or indirectly, from the Reforms. To make matters worse the same rise in prices raised the cost of all material and so increased expenditure; whilst, on the other hand, it substantially reduced the receipts under one important head, namely, "Stamps." Further, the non-co-operation movement had the effect of causing a substantial decrease in the receipts under another important head, namely, "Excise." Though at the outset a spirit of optimism regarding the financial outlook was abroad, there was small justification for any such spirit. Nor did it last long. With a rising expenditure and a diminishing revenue the province was in an unfavourable position to finance those schemes

Financial
conditions.

which had been held up since the war years and to place at the disposal of the ministers sufficient funds for the development of their departments. Recourse was had to rigid economy and retrenchment; but in spite of this one deficit budget followed another, and it was not till the year 1926 that the Finance Member, in introducing his budget, was able to announce that he was at last in a position to provide for all sanctioned expenditure, for some new expenditure, and for a small closing balance without recourse to taxation or borrowing. Even these hopes were not fulfilled, and the year 1926-27 also ended with a deficit. The contribution had become a crushing burden, and it is only since its complete remission that the outlook has improved. But the resources of the province are not capable of rapid expansion. The legislature has only passed measures of fresh taxation with great reluctance. Fortunately a certain amount of natural growth is in prospect under "Land Revenue" as the result of new settlements and under "Irrigation" as a result of the approaching completion of the Sarda canals. But even allowing for these additional resources there will be for a long time difficulty in finding as much money for development as the province needs.

The services.

11. The feeling among the members of the all-India services in 1921 was one of profound depression. All officers were suffering from the effects of the rise in the cost of living and were dissatisfied with what Government had done to relieve them. All were uncertain as to the effects of the Reforms on their future prospects. Racial feeling was rampant and a campaign of vilification formed part of the non-co-operation propaganda. Criticism in the legislative council was frequent and sometimes hostile and prejudiced. Rightly or wrongly, the services felt that the attitude of Government in meeting such criticism made their position insecure, and in consequence their faith in Government weakened. Even the rural population seemed to be alienated. It was not unnatural, therefore, that for a time the services lost heart. The worst soon passed. Friendly relations with the rural population were restored. The attitude of Government became more re-assuring. Conditions of service were improved and economic distress allayed. Some uncertainty as to the future necessarily remained, but the extension of the date for premature retirement gave a feeling of security. Since 1924 the feeling of depression has, to a large extent, disappeared. Nevertheless, the work of all Government servants is more exacting, opportunities for relaxation are less, and criticism in the legislature is still unsympathetic and in the last few years has tended to assume a communal as well as a racial aspect.

PART III.

THE EXECUTIVE GOVERNMENT.

12. The province is governed, in relation to reserved subjects, by a Governor in Council and, in relation to transferred subjects, by the Governor acting with ministers. The Governor is appointed by His Majesty after consultation with the Governor-General. The number of members of the executive council is limited by statute to four, of whom one must be a person who at the time of his appointment has been for at least twelve years in the service of the Crown in India. Actually there have so far not been more than two members in this province, of whom one has been a member of the Indian Civil Service. There is no statutory limitation to the number of ministers. From January, 1921 to January, 1926, there were two, and thereafter up to the present there have been three.

Constitution.

13. The incumbents of the office of Governor, Member of Executive Council, and Minister from 1921 up to the present have been as below :—

Personnel.

GOVERNORS.

- (1) Sir Harcourt Butler, G.C.I.E., K.C.S.I., January 3, 1921 to December 21, 1922.
- (2) Sir William Marris, K.C.S.I., K.C.I.E., December 24, 1922 to January 14, 1928.
- (3) Sir Alexander Muddiman, K.C.S.I., C.I.E., January 14, 1928.

Sir Ludovic Porter acted as Governor from December 21 to December 24, 1922; and

Sir Sam O'Donnell from August 14, 1926 to November 30, 1926.

MEMBERS OF EXECUTIVE COUNCIL.

- (1) Sir Ludovic Porter, K.C.S.I., K.C.I.E., O.B.E., January 23, 1921 to January 3, 1923.
- (2) Maharaja Sir Muhammad Ali Muhammad Khan, K.C.S.I., K.C.I.E., January 3, 1921 to January 2, 1926.
- (3) Sir Sam O'Donnell, K.C.S.I., K.C.I.E., January 4, 1923 to January 13, 1928.
- (4) Nawab Muhammad Ahmad Sa'id Khan, C.I.E., M.B.E., January 3, 1926.

(5) Mr. G. B. Lambert, C.S.I., January 13, 1928.

Sir Selwyn Fremantle acted as Member from April 3, 1925 to August 1, 1925.

Sir Richard Burn acted from December 5 to December 23, 1925, and again from August 14 to November 30, 1926.

MINISTERS.

- | | |
|--|------------------------------------|
| (1) Pandit Jagat Narain | } January 3, 1921 to May 10, 1923. |
| (2) Mr. C. Y. Chintamani. | |
| (3) Raja Parmanand, | May 17, 1923 to December 26, 1923. |
| (4) Nawab Muhammad Ahmad Sa'id Khan, C.I.E., M.B.E., | May 17, 1923 to January 2, 1926. |
| (5) Rai Rajeshwar Bali, O.B.E., | January 2, 1924. |
| (6) Thakur Rajendra Singh, | January 12, 1926. |
| (7) Nawab Muhammad Yusuf, | January 12, 1926. |

Selection of
Ministers
and
Members of
Executive
Council.

14. The authors of the report on Indian Constitutional Reforms recommended that the ministers should be responsible to their constituents rather than to the legislative council and should hold office for the life-time of the legislative council. This recommendation was considerably modified, and the Government of India Act specifically lays down that the ministers should hold office at the pleasure of the Governor and by other provisions renders them responsible to the legislature. The only statutory restriction on the Governor's freedom in selecting his ministers is the requirement that they should be, or within six months become, elected members of the legislative council, and should not be members of the executive council or other officials. There are, however, further practical restrictions, and in a province where party organization and discipline have only recently begun to crystallize and are still very dependent on individual leaders, and, where religious feeling is apt to be a factor of importance, the Governor's task of selection is necessarily one of considerable difficulty and delicacy, requiring a careful balancing of various conflicting interests. In the first legislative council there were no regular parties and the extent to which the largest group, the landholders, would work together was a matter for speculation. Sir Harcourt Butler, therefore, anxious to give the new system a good start, selected as ministers men of outstanding ability with an already established position in the public life of the province, namely, Pandit Jagat Narain and Mr. C. Y. Chintamani, the former a successful advocate of the judicial commissioner's court, Lucknow, the latter an able

journalist domiciled in Aliahabad. These gentlemen were both members of the liberal party, but could neither individually nor collectively count on the support of a majority of the non-official members of the legislature and they had, in fact, sometimes to rely not only on the official vote, but also on official influence with the dominant landholding interest in the council to give them a majority. This ministry was wholly Hindu and representative of political interests. It was, therefore, natural that the choice of the non-official member of the executive council should fall on an influential Muhammadan landholder, Maharaja Sir Muhammad Ali Muhammad Khan. When the first ministers resigned in 1923 Sir William Marris attempted to replace them by a coalition ministry composed of a landholder and a man of affairs, both Hindus. The attempt failed, and two landholders—a Hindu, Raja Parmanand, and a Muhammadan, Nawab Muhammad Ahmad Sa'id Khan—were ultimately appointed. These ministers were representative of the dominant element among the non-official members of the legislature. They were both men with a gift for leadership, each had a strong following, and their position in the legislature was stronger than that of any ministry before or since. They were both re-elected unopposed as members of the legislative council in the 1923 elections and were re-appointed as ministers. Raja Parmanand died in December, 1923, and his place was taken in the following month by Rai Rajeshwar Bali, a Hindu landholder from Oudh. Nawab Muhammad Ahmad Sa'id Khan and Rai Rajeshwar Bali remained in office till January, 1926, when a reconstruction became necessary. The Nawab had by then two and-a-half years of successful work as minister to his credit and he was selected as the successor of the Maharaja Muhammad Ali Muhammad Khan on the completion of the latter's term of office as member of the executive council. Advantage was taken of the reconstruction to add to the number of the ministers. One of the first ministers had left it on record that in his view two ministers were insufficient, and this view was shared by his successors. It had also become clear that the stability of a ministry was strengthened by the inclusion of both Hindus and Muhammadans. The ministry, as reconstructed in 1926, therefore, consisted of three ministers, two of whom were Hindus and one a Muhammadan. The two new ministers were both landholders, Thakur Rajendra Singh from Oudh and Nawab Muhammad Yusuf from Agra. These ministers all retained their seats at the 1926 elections and were re-appointed as ministers and have continued in office up to the present time.

Distribu-
tion of
business.

15. The distribution of business between the members of the executive council and the ministers is shown in the statement below. The only subjects which are dealt with directly by the Governor are matters connected with the defence of India, Indian States, and ceremonial titles, etc.

HON'BLE FINANCE MEMBER.

*Appointment department.

General ,,
Political ,,
Newspaper ,,
Executive ,,
Finance ,,
Revenue ,,
Scarcity ,,
Ecclesiastical ,,
Legislative ,,
Irrigation ,,

HON'BLE HOME MEMBER.

Police department.

Forest ,,
Judicial ,,
Jail ,,

HON'BLE MINISTER OF EDUCATION.

Education department (other than European education which is under Hon'ble Finance Member).

Medical department.

Public Health department.

HON'BLE MINISTER FOR LOCAL SELF-GOVERNMENT.

Local Self-Government department.

†Municipal department.

Public Works department (Buildings and Roads branch).

Registration department.

* Appointments of Police and Judicial officers go to the Hon'ble Home Member, though the Finance Member also seems cases of appointment of Indian Civil Service officers to judicial posts and cases connected with the High and Chief Courts.

† Hon'ble Finance Member is in charge of Cantonments and Hon'ble Minister of Education in charge of Improvement Trusts and Sanitary schemes.

HON'BLE MINISTER FOR AGRICULTURE.

Agricultural department.

*Industries „

Co-operative „

Civil Veterinary „

Excise „

16. The Joint Select Committee realized that the position of the Governor would be one of great responsibility and difficulty as well as one of great opportunity. They foresaw that he might have to hold the balance between divergent policies and different ideals, and that it would be for him to prevent discord and friction. Experience has proved the accuracy of this forecast. The Governor's task is undoubtedly one of very great difficulty and delicacy. On the one hand he is responsible to Parliament for the administration of the reserved departments, and his duty in regard to them is clearly to enforce his will to the greatest possible extent in order to obtain a large measure of efficiency; on the other hand, his ministers, with no party openly pledged to support them, are responsible to a legislature lacking experience and apt to be swayed by emotion and occasionally racial feeling, and his duty in regard to transferred subjects has been to allow his ministers a wide freedom in the development of their own policy, even though that policy might not be in accord with his own views. On the one hand, the reserved side of the Government has had to modify its policy owing to the lack of a majority in the legislature. On the other hand, the transferred side of the Government has had to be allowed to follow a policy even though the Governor may have differed from it. Exception has been taken to the wide powers vested in the Governor, and the recommendations of the Reforms Enquiry Committee showed a distinct tendency towards restricting those powers. Sir William Marris strongly resisted this tendency, and, as a result of his own experience, was convinced that the Governor's difficulties would be greatly increased if his discretion was circumscribed and hedged around by further rules and regulations. The Governor's is the controlling and guiding hand on which the smooth working of the whole machinery of dyarchy depends, and he must be left with a wide freedom if he is to be successful in overcoming difficulties as they arise. The occasions on which the Governor

The position
of the
Governor.

* Some subjects are in charge of Hon'ble Finance Member and Hon'ble Home Member.

has made use of the special powers conferred on him by the Government of India Act will each be mentioned in its appropriate place in the narrative. These have been comparatively infrequent, but the hope of the Joint Select Committee that the exercise of these powers should not be regarded as unusual or arbitrary has certainly not been realized. Only last year, on June 20, the nationalist and *swaraj* parties combined to oppose a demand not on the merits, but as the leader of the former party stated "as a protest against this use of the power of the certificate."

Method of working.

17. The authors of the report on Indian Constitutional Reforms intended that the Government, in spite of its dual nature and the division of functions, should work as one Government, and they considered it desirable that the executive should cultivate the habit of associated deliberation. To this end they suggested that the Government should deliberate as a whole, though the decision in each case should rest with that side of the Government responsible for the case. The Joint Select Committee agreed that the habit of joint deliberation of both sides of the Government should be fostered in regard to the large category of business which could not be disposed of departmentally, but they also laid great stress on the principle that there should be no doubt as to which portion of the Government was responsible for the decision in each case and that all proceedings of the Government should state in definite terms on whom the responsibility lay. The Government of India Act recognizes meetings of the executive council, but contains specific reference neither to meetings of the Governor with his ministers, nor to meetings of the whole Government. In his Instrument of Instructions, however, each Governor is directed to "encourage the habit of joint deliberation . . . in order that the experience of . . . official advisers may be at the disposal of . . . ministers and the knowledge of . . . ministers as to the wishes of the people may be at the disposal of . . . councilors". It is thus clear that the intention of the framers of the constitution was that there should be joint deliberation, though no attempt was made to define its scope with accuracy. At the same time it was as clearly intended that there should be no doubt as to which side of the Government was responsible for each decision and the orders that followed from it.

Under Sir Harcourt Butler.

18. Sir Harcourt Butler, in addressing the members of the reformed legislative council at their first meeting on January 22, 1921, after referring to the personnel of the new Government, said: "It is my desire that we should work

together, as far as possible, as one Government." This desire was to a considerable extent fulfilled during the first year of his Governorship. Meetings of the executive council as such were not at first held. On the other hand, there were regular meetings of the whole Government at which all matters of importance were discussed. This gave ministers an insight into the working of the reserved departments and an opportunity of influencing decisions in those departments. These, however, were difficult times. The non-co-operation movement was at its height, Government were faced with the possibility of a serious breakdown in the administration, and the outbreak of disorder on a very large scale. The system of meetings of the whole Government broke down under the strain that was put upon it. After a time the ministers proved a handicap to the Governor in Council, for though they agreed to the application of the Criminal Law (Amendment) Act, Part II, to this province, later under the lash of a bitter attack in the legislative council and subjected in the Press to that form of personal abuse which is too frequently a feature of political controversy in India, they were regarded at the time as anxious to dissociate themselves from the inevitable results. The Governor finding that it was useless to expect his ministers publicly to support the action which was necessary to the restoration of law and order thereafter ceased to attempt to control those vital matters by the voices of the whole Government. In his opinion the attempt to work the dyarchical system as a unitary one had, it would seem, in the special difficulties of the time, definitely failed.

19. Sir William Marris made no attempt to return to a unitary system. He had the experience of the previous two years before him and was greatly impressed with the danger of what he termed "twilight" decisions, that is, decisions which, owing to the influence of that portion of the Government which was not responsible for them, lacked decisiveness. His object was to conform closely to the intentions of Parliament as he understood them. He held meetings of the whole Government when he thought that these would be of advantage for mutual enlightenment, but he invariably insisted that the decision should be taken by that portion of the Government which was legally responsible for it. His guiding policy was to avoid fruitless discussions, the only result of which would be to engender friction and affect the good relations existing between the members of the two parts of the Government. He held regular meetings of his executive council, and he met his ministers regularly individually, but he did not hold

Under Sir
William
Marris.

meetings with them as a ministry, though his rules of executive business recognized that such meetings might be held.

**Existing
rules.**

20. The existing provision in this Government's rules of executive business on the subject of meetings of the whole Government is as follows:—

“It shall be within the discretion of the Governor to direct that a case shall be discussed at a meeting of the council and ministers sitting together :

Provided that the Governor shall so direct—

- (a) in all cases substantially affecting the administration both of a reserved and of a transferred department on which there is a difference of opinion between the member and the minister concerned; and
- (b) in all cases involving legislation, before such legislation is introduced in the legislative council.”

In 1925 the Governor in Council was asked for his views on two recommendations affecting the working of the Government as a whole which were made by the Reforms Enquiry Committee :—

- (i) The first was that joint deliberation between the two sides of the Government on important questions should be definitely enjoined by rule.

The members of the executive council and the ministers agreed with this proposal, but Sir William Marris very strongly opposed it on practical grounds. His views may be summarised as follows :—

- (a) On many matters, for example, the services, law and order and minority interests, cleavage of opinion between Europeans and Indians is certain. The bringing of dissentient opinions into constant contact must eventually destroy any solidarity that a Government has;
- (b) nothing could be more trying for ministers than to be constantly consulted and then to have decisions taken adverse to their views;
- (c) one of two results must follow : either the Government will fall to pieces or matters will be decided jointly instead of by that side of the Government responsible.

Sir William Marris pointed out that the system had been tried in these provinces and failed, and he intimated to the Government of India that he felt so strongly in the matter

that in so far as he had discretion he would refuse to make such a rule as was proposed; and he asked that if it were proposed to constrain him to do so against his will, his protest might be communicated to the Secretary of State in Council. It is interesting to note in this connexion that the minority of the Reforms Enquiry Committee agreed with the view taken by Sir William Marris to this extent that they held that joint deliberation without common responsibility can lead neither to efficiency in the administration nor to harmonious relations between the two sides of the Government. They also felt that it would weaken the position of the ministers *vis-a-vis* the legislature in relation to reserved subjects. In fairness it must be added that in spite of these defects they approved of joint deliberation if dyarchy were to be retained.

- (ii) The second proposal was that the rules of executive business should definitely provide that a member of executive council or a minister should be able to recommend to the Governor that any case in his own department should be considered at a meeting of the whole Government or of that side of the Government directly concerned.

Neither the Governor nor the executive council nor the ministers saw any need for such a rule. Their objection was not that such a rule would be mischievous, but that it was unnecessary. The proposal seemed to them to imply a lack of confidence for which there was no real justification in the judgement of all the parties concerned. The matter has not been pursued further, and the present Governor sees no reason to re-open the controversy.

21. The relationship between the Governor and his ministers forms one of the most delicate parts of the constitution. From the outset the danger of a too rigid relationship was realized, and care was taken to leave room for a considerable amount of adjustment. There was never any intention that the Governor should occupy the position of a purely constitutional Governor bound to accept the advice of his ministers. On the other hand, it was from the very beginning agreed that the Governor's powers of rejecting his minister's advice should be subject to certain restrictions defined in an Instrument of Instructions. The Joint Select Committee contemplated that the Governor would ordinarily allow ministers to have their way if, after hearing all the arguments which he could bring forward against a certain course of action, they still insisted on taking it. The relationship, as defined in the Government of India Act, is that in regard to transferred

Relations
between
Governor
and
ministers.

subjects the Governor shall be guided by the advice of his ministers unless he sees sufficient cause to dissent from them, in which case he may require action to be taken otherwise than in accordance with their advice. Further definition is given in the Instrument of Instructions where the Governor is directed, when considering a minister's advice, and deciding whether or not to dissent from it, to have due regard to his relations with the legislative council and to the wishes of the people as expressed by their representatives in the council. In the same Instrument the Governor is also charged to see that no order of his Government unfairly affects certain special interests and to safeguard members of the services in the legitimate exercise of their functions and in the enjoyment of all recognized rights and privileges. Such is the position so far as it has been given specific definition. It undoubtedly gives the Governor a wide freedom. There is, however, a practical, as distinguished from a theoretical, side to the whole matter which also requires consideration. What happens if the Governor after full consideration, and after making every effort to avoid a rupture, definitely rejects a minister's advice? The minister either has the legislature behind him or he has not. If he feels that he has not, and if he is not prepared to resign, he will accept the Governor's ruling. If, however, he can rely on the support of a majority of the legislature, he will probably be safe to resign, since there is every likelihood that the Governor will be unable to obtain another minister from a legislature which has it in its power to make the position of such a minister quite impossible. The Governor will then be forced to dissolve the council. If the new council is still against him he will either be forced to give way or else to proceed to the extreme measure of assuming control of the administration of the departments concerned. The position of a minister *vis-a-vis* the Governor is, therefore, in practice a far stronger one than it appears to be in theory, and, if it is weak at all, is weak only in proportion, as his support in the legislature is small. The position of the minister who has at his back a majority in the legislature is in fact so strong that the Governor would require very cogent reasons to dissent from his views. Even a minister without a majority is in a comparatively strong position, since he has always the threat of resignation as a final lever and no Governor can possibly regard ministerial resignations in other than a serious light. An ex-minister of this province, in his written evidence before the Reforms Enquiry Committee, complained of the weakness of the position of the minister *vis-a-vis* the Governor. It was, however, the same minister who in his oral evidence

said: "As a matter of fact, until the date of my resignation I prevailed on all matters by showing that I was ready to go out." In practice, therefore, the position of the minister *vis-à-vis* the Governor is much stronger than it seems at first sight, and its strength depends, as it should in accordance with correct constitutional theory depend, on the measure of his support in the legislature.

22. The Reforms Enquiry Committee recommended that the Instrument of Instructions should be amended so as to provide that the Governor should not dissent from his ministers except—

Changes proposed.

- (1) to prevent unfair discrimination among classes and interests;
- (2) to protect minorities;
- (3) to safeguard his own responsibility for reserved subjects; and
- (4) in regard to the interests of members of the permanent services.

The Governor in Council of this province very strongly opposed this proposal. He pointed out the danger of attempting to catalogue powers narrowly since it is impossible to provide for all contingencies. He considered it a dangerous doctrine to lay down that the Governor should acquiesce, for example, in the pursuit of personal animosities, the condonation of misconduct, or the growth of corruption and nepotism. The Governor considered the proposal unwise for the reason that it might prevent him from withstanding serious mischief, and unnecessary because there were already ample safeguards (of the kind referred to in paragraph 21 above) against arbitrary interference with ministers. All constitutional experience in his opinion pointed to its being wiser to rely on broad general sanctions of that nature rather than on narrow instructions.

23. It is inevitable that differences should arise between ministers with little or no previous experience of administration and Governors who have had previous political or administrative experience. It is only natural that their outlook should be different, and that they should approach many problems from a totally different point of view. That such differences in this province have not, on the whole, been serious is due to the fact that the Government as a whole have realized the imperfect and delicate nature of the machinery and have worked it with mutual forbearance and in a spirit of give and take. One source of acute disagreement has been

The test of experience.

the position of members of all-India services serving in transferred departments, a matter which will be discussed elsewhere and need only be mentioned in the present context. Disagreements were probably most frequent during the first ministry, and it was one of the first two ministers who boasted that he always got his way by the threat of resignation. When the minister actually resigned the Governor of the time had little difficulty in finding new ministers with a larger following in the council than those whom they had replaced. As Mr. Chintamani and his colleague, Pandit Jagat Narain, have been the only ministers to resign their office in this province, the circumstances of their resignation are explained at some length in the following paragraph. The Government as constituted thereafter have worked with reasonable smoothness. A difficult situation arose in consequence of the opposition to the Indian Statutory Commission. The two Hindu ministers were influenced by those who were in favour of boycotting the Commission and refrained from voting when the question came before the legislative council, with the result that Government were defeated by a single vote. Inasmuch as the Commission had been appointed by His Majesty the King-Emperor and the Government of India had called upon this Government to prepare material for submission to it, the attitude of the ministers gave rise to a position of much constitutional interest.

Mr. Chintamani's resignation.

24. The circumstances of Mr. Chintamani's resignation, as explained in papers published at the time for general information, were these. The Vice-Chancellor of the Allahabad University, Sir Claude de la Fosse, a member of the Indian Education Service, had information that two members of the University Court had given currency to defamatory statements regarding his personal probity. He consulted Sir William Marris, in his capacity as Chancellor of the University, as to the best course to adopt in the matter. Sir William thereafter saw one of the two members concerned and asked him to consider the possibility of making such a statement as Sir Claude was likely to accept as satisfactorily a letter from personal character. Sir William later received a letter from the same member which he communicated to Sir Claude with the remark that if he wished to take further action, then he, as Chancellor, did not wish to interfere with his doing so. Sir Claude was not satisfied with the terms of the letter and initiated proceedings against the two members for criminal libel (section 500, I. P. C.). At this point Mr. Chintamani, then Minister for Education, intervened by drawing the attention of the Governor to a rule in the Manual of Govern-

ment Orders under which a Government servant may not, without the previous sanction of the local Government, have recourse to law to vindicate his public acts or character from defamatory attacks. The Governor informed the minister that he had received no application for sanction, but had instructed his Private Secretary to remind Sir Claude of the existence of the rule. At the same time he observed that if there had been any breach of rule it had not been a grave one; that the action of Government was not even indirectly concerned, and that, if sanction were necessary, it should be given unhesitatingly. The minister disagreed with this view and held that the interests of Government were intimately concerned. He suggested that owing to the strained relations which had existed between the Vice-Chancellor and some Indian members of the University Court the *bona fides* of the prosecution might be questioned, and he proposed (1) that the Vice-Chancellor should be asked to apply for a postponement of the case while Government considered the question of sanction; and (2) that further efforts should be made to reach a settlement out of court. The Governor in reply expressed his extreme astonishment at the minister's suggestion that an attempt might be made to represent the Vice-Chancellor's action in bringing the case as dishonest and taken from a motive of revenge and observed that the fact that such a suggestion could be made only strengthened him in his opposition to any further intervention. He also pointed out that postponement might be detrimental to the complainant if, as he understood, Sir Claude and some of his principal witnesses were about to leave for England. Two days later the minister called the Governor's attention to the fact that Sir Claude had launched another prosecution, still without sanction, and he suggested that he should be called on for an explanation. The Governor re-stated his position in the whole matter and saw no reason to call for an explanation. Thereupon the minister wrote a lengthy minute reiterating the points of disagreement between himself and the Governor, complaining that he had been kept at arms length throughout the whole matter, and stating that he must consider his position. The same day he wrote a letter offering his resignation, which was accepted. His colleague, Pandit Jagat Narain, also resigned, giving, as his reason for doing so, that he and Mr. Chintamani had agreed to act, and had acted, on a footing of joint responsibility. These are the facts. It may, however, be added that while the Governor and the minister were exchanging minutes Sir

Claude, though he did not himself believe such sanction to be required, had applied to the Chief Secretary to Government for sanction to the initiation of proceedings and had been informed in reply that no sanction was required. The period covered by the incident was April 4 to 19, a time when the local Government was in transit to the hills. The Chief Secretary was in Naini Tal and had no knowledge of what was taking place between the Governor and the minister in the plains. The minutes passed direct from the Governor to the minister, and *vice versa*, a procedure which was dictated by the circumstances of the moment rather than by strict constitutional practice. The Education Secretary was on casual leave, and the Chief Secretary disposed of the application on his own responsibility and took the view that the rule in the Manual of Government Orders did not apply to the case because, firstly, Sir Claude was defending his private character, a contingency expressly excluded from the rule; and secondly, he was on foreign service with the University, and it was his honour as a servant of the University, and not of the Government that was impugned.

**Relations
between the
two parts
of the
Government.**

25. Only less delicate than the relations between the Governor and his ministers are the relations between the two sides of the Government. It was recognized from the first that the division of subjects was not complete and that rules would be necessary to regulate the disposal of two classes of cases namely :—

- (1) cases the decision in which clearly lay with one department but which affected the interests of both reserved and transferred departments;
- (2) cases the actual jurisdiction of which was doubtful.

The gist of the rules made in this province to regulate the disposal of these classes of cases is as follows :—

- (1) A case clearly belonging to one department but concerning another department must ordinarily be referred to that other department before any orders are issued, and must also be submitted to the Governor at some stage before the issue of orders; ...
- (2) where there is difference of opinion between the member and minister on any point arising in the case, the Secretary in the department to which the case belongs must submit it for the orders of the Governor;

- (3) where there is doubt as the department to which any case belongs the member or minister before whom the case is pending must submit it for the orders of the Governor.

Other rules relating to the relations of the two sides of the Government provide that—

- (1) A member may ask to see papers in a transferred department and a minister papers in a reserved department if they are required for disposal of a case in one of his own departments.
- (2) The Finance Member may ask to see any papers from a transferred department which involve any question of finance and may request that the papers with his note on them should be submitted to the Governor for orders by the minister in charge.
- (3) If any action taken in a reserved department affects a transferred department, or *vice versa*, the member or minister in charge of the department affected may ask to see the papers of the case, and on receipt of the papers may submit the case to the Governor with any observations which he may desire to make.
- (4) When it is proposed to appoint an officer serving in a reserved department to a post in a transferred department the appointment department shall first be consulted; and, on the other hand, when it is proposed to appoint an officer serving in a transferred department to a post in a reserved department, the minister in charge shall first be consulted.

These rules regulate what may be called the domestic relations of members and ministers and they have been found to work satisfactorily. Differences of opinion have arisen in regard to cases affecting more than one department, as indeed they were bound to arise, but the existence of definite rules regulating procedure to be followed in such cases has enabled the work of Government to be carried on with reasonable smoothness. The division of funds available for expenditure between the reserved and transferred departments would seem to afford an obvious occasion for disagreement. The experience in this province has, however, been that there has been little difficulty in reaching an amicable agreement. There are no cases in which differences have arisen of sufficient importance to be mentioned individually. Secretariat appointments in transferred departments, however, have given rise to some

-difficulty. Ministers have not on all occasions been satisfied with the proposals made by the member in charge, and on one occasion when, by an unfortunate oversight, the ministers were not consulted before appointments were made, they brought the matter to the notice of the Governor, who expressed his regret for the oversight and placed it on record that that occasion would not be regarded as a precedent.

**An aid to
smooth
working.**

26. The smoothness of the working of a dyarchic Government necessarily depends on the extent to which the members and ministers confine their attention to cases belonging to their own departments and such other cases as are referred to them by the Governor or the member or minister in charge. A wider interpretation of the constitutional position might lead, and, indeed, it is understood on one occasion has led, to an inclination to overlook the fact that subjects are divided into reserved and transferred.

**Relation
in the
legislature.**

27. A more difficult aspect of the relations of the two parts of the Government is what may be called their public as distinct from their domestic relations. The Joint Select Committee observed that "members of the executive council and ministers should not oppose each other by speech or vote; members of the executive council should not be required to support by speech or vote; proposals of ministers of which they do not approve; nor should ministers be required to support by speech or vote proposals of the executive council of which they do not approve; they should be free to speak and vote for each other's proposals when they are in agreement with them." That practice has generally been followed. There has been one notable exception. During the second reading of the District Boards Bill on November 6, 1922, an amendment was moved with the purpose of giving larger representation on the boards to Muhammadans. The minister in charge was opposed to the amendment, but at the same time made it clear that he was willing to accept the decision of the council in the matter. The amendment was pressed to a division and the two members of the executive council and all, except one, of the official members voted against the ministers. Next day, on a further similar amendment, the Finance Member made an explanation to the council. He pointed out that the minister in charge had said that he did not regard the amendment as vital to the Bill and that he would be guided by the decision of the House. In these circumstances the Finance Member considered that officials were free to vote as they wished and that it was their duty to vote as the matter was one in which the

claims of a minority were concerned. On that and also a subsequent amendment both members of the executive council again went into the lobby against the ministers. Other officials were left free to vote and several of them supported the ministers. That was an isolated incident. Ministers have felt themselves free to abstain from voting whenever they did not approve of the policy of the reserved side of the Government. When the issue is one of importance, such abstention is naturally taken to mean opposition and thus makes a public announcement of the fact that the Government is divided. Speaking during the second reading of the Oudh Rent Bill on November 4, 1921, a member called attention to this fact in the following words : "Even when the present Bill is being discussed there have been serious differences of opinion between the two halves of the Government so far as we see from the fact that ministers have not voted on many occasions with the Government." There were other occasions also on which the first ministers abstained from voting. Both abstained on certain motions on the police budget which raised the racial issue, and Mr. Chintamani withheld his support on the resolutions which determined that the site of the new council chamber should be in Lucknow, and also on that recommending the establishment of a chief court for Oudh. The most notable instance of abstention is that of the two Hindu ministers on the resolution advocating boycott of the Indian Statutory Commission. Their abstention involved the defeat of Government. The position taken by Government on that resolution was that the issue was one that did not require any immediate decision and that the wise course for the council to adopt was to wait until the time came when the positive issue of assisting the Commission came before it. The ministers did not avail themselves of this simple way of escape, and their attitude, which was known beforehand, had the effect of sending a certain number of members, who were inclined to sit on the fence, into the opposition lobby.

28. The relations of ministers, one to the other, was not discussed in the report on Indian Constitutional Reforms, though it is clear that the authors of that report expected the ministers to act at least to some extent in concert. The Joint Select Committee thought that ministers would wish to act together, that it was better that they should do so, and that this fact should be recognized in the Government of India Bill. It is a question of interpretation whether the Act did or did not recognize the fact. Sub-section (3) of section 52 of the Act refers to ministers in the plural and has been interpreted by some as meaning that the ministers should act in

**Joint
responsibility
of
ministers.**

concert, and by others as meaning that in relation to each department the Governor should be guided by the advice of the minister in charge of that department. Each view seems tenable and each can derive some support from the statutory rules made under the Act, though the Instrument of Instructions clearly contemplated that ministers would act individually rather than collectively. Whatever the intention of Parliament was, there can be no doubt that the conditions in this province have been and still are generally unfavourable to a system of unqualified joint responsibility. It is true that the first two ministers agreed to act, and did act, on a footing of joint responsibility; but as has already been pointed out, they did not command a majority in the legislature, and they were kept in office partly by their own political ability, partly by the official vote and official influence with certain non-official members, and partly by the command of a section of the Press. On their resignation the attempt to form a coalition ministry failed owing to the refusal of certain members of the late ministers' party to work with a particular individual representing another interest. This refusal was probably due to some extent to the influence of the idea of joint responsibility. The ministers stood together in 1924 and 1925 without a formal agreement, but since 1926 there has been no question of the ministers acting as a united ministry; and, indeed, to obtain a stable ministry composed of ministers who would so act would be a matter of very considerable difficulty so long as parties are not more highly organized, so long as no single party has a clear majority in the legislature, and so long as communal feeling is as acute as it has been for the last few years. The Reforms Enquiry Committee recommended that the Government of India should examine the statutory rules and the Instrument of Instructions in order that, where necessary, they might be amended with the object of indicating clearly that the ideal is that the administration on the transferred side should be conducted by a jointly responsible ministry. The Governor in Council of this province, as constituted in July, 1925, made no objection to this proposal. He felt that the principle of joint responsibility should not be insisted on in the present conditions if stable ministers were to be obtained, but that it would no doubt become established as soon as conditions became favourable.

**The
Governor
in Council
and the
legislature.**

29. In no sphere has the working of the system of dyarchy been proved more difficult than in the relations between the executive and the legislature. The executive consists on the one side of the Governor in Council theoretically

responsible to Parliament, but in practice largely dependent on the goodwill of a legislature over which he has little control and which in the existing stage of political development in India is apt to be hostile, and on the other of a Governor acting with ministers theoretically responsible to the legislature but, in so far as they do not command a majority in practice largely dependent on the support of the reserved side of the Government. In the legislature the Governor in Council can absolutely rely only on the official block of sixteen members in a house of one hundred and twenty-three. In the case of elected members his support has varied with the constitution of the council and the amount of effort made to secure votes. Sir Harcourt Butler was fortunate in securing a large measure of support for most of his measures from the landholders and some other non-official members, and in consequence during the years 1921 and 1922 the Governor in Council was able to secure a majority on all issues which he considered vital. Thus he was able in March, 1921, to pass with little reduction a Police budget which was considerably in excess of that of the previous year, and in November, 1921, he got the contentious Oudh Rent Bill passed, though with great difficulty, without resort to his special powers. Even so, it was necessary for him to use discretion in deciding what issues were to be regarded as vital and to allow freedom of vote on some issues which a Government with an effective majority would not have been content to have decided against them. During the debates on the Oudh Rent Bill in 1921 and also on the Police budget in 1921 and 1922 Government suffered defeats on issues which, if not vital, were certainly important. Even during these two years, therefore, the Governor in Council had only a precarious majority, and not one on which he could always rely or such as, for example, a Government in England has. During the period of office of Sir William Marris the position underwent some change; and, whatever the cause, support was less readily accorded to measures promoted by the reserved side of Government. Since 1923 the Governor in Council has frequently found himself in a minority in his own legislature. He has, of course, been able to prevent legislation which he considered to be of a vitally dangerous character and to overcome a failure to obtain supply for reserved departments which would have imperilled the administration, but always at the risk of being put on his defence and having to justify before higher authority his over-riding of the view taken by his legislature. The result has been that the legislature, in spite of its inexperience, its susceptibility to sentiment and its racial

bias, has been able to influence, and sometimes seriously to affect the administration of the reserved departments. This is due to two principal reasons :—

(1) The Governor in Council has to get money for the reserved departments. He can in the long run obtain it by certification under section 72(2) (a) of the Government of India Act. But no constitutional government can endure by the continual use of emergency powers, and it follows that to avoid the use of these ultimate powers the Governor in Council has to give way on points of lesser importance in order to gain his way in essential matters. Money has been scarce, and in the division of such resources as have been available the reserved departments have fared worse than the transferred, with the result that the expansion which might normally have been expected has not been realized. Particular instances in which progress has been hindered will be given in the accounts of the working of the departments concerned.

(2) The legislature is able to bring pressure to bear on ministers and therefore to influence the course of the official side of the Government. The strength of the position of a minister supported by the legislature has already been referred to and need not be reiterated. It is only necessary to say that the larger the amount of the support on which ministers can rely in the legislature the weaker may be the position of the Governor in Council in relation to the legislature. The reason for this is not far to seek. The ministers know that their attitude to reserved subjects may influence the votes of members of the legislature on transferred subjects and may thus result in their loss of office. They are, therefore, careful to dissociate themselves openly from any policy of the Governor in Council approval of which is likely to involve them in difficulties with the legislature. The solidarity of the Government is thus threatened by any measures on the reserved side which is likely to raise determined opposition in the legislature, and to preserve the Government the Governor in Council is forced to go to the utmost limit of concession.

**A defect
in the
constitution.**

30. A further weakness of the Governor in Council calls for mention. Buildings for reserved departments are included in the Public Works budget. Public Works is a transferred subject. If the legislature refuses supply, the Governor in Council has no remedy, since it is only in cases of emergency that the Governor is authorized to certify expenditure for transferred departments and even then he can certify only such expenditure as may be necessary for the safety and tranquillity of the province or for the carrying on of the department. An

obvious remedy would be to include such buildings in the budget of the appropriate reserved department. The Auditor-General has, however, ruled that these projects cannot be included in the budget of the reserved department to which they belong, because such inclusion would amount to making the minister the mere agent to the member in charge of the reserved department. When the demand for "Public Works and other outlay not charged to revenue" was put to the vote on March 30, 1927, a member of the legislature challenged a division in the hope, it is understood, of being able to hold up the building programme of the Police department. He was unsuccessful. Had he succeeded, the position would have been that the legislature had refused supply for the urgent requirements of a reserved department and that the Governor was unable to overrule the legislature, contrary to the intention of the constitution, even though he might consider the expenditure essential to the discharge of his responsibility for the department.

31. Another feature of the relationship between the executive and the legislature deserves mention. It is that neither part of the Government is altogether a free agent and the control of higher authority is apt to cause embarrassment. The exercise of this control will be dealt with separately later, on, but it is relevant in the present connection to point out how embarrassing it can be. The supervision which the Government of India and the Secretary of State at first attempted and then abandoned in the case of the very difficult Oudh Rent Bill was a source of great embarrassment to Sir Harcourt Butler's Government in 1921. On the transferred side there was the Allahabad University Bill in regard to which the Government of India tried to force upon this Government provisions which neither the minister nor the legislature would have accepted. There was also the preparation of material for submission to the Indian Statutory Commission. Under Devolution Rule 5 the ministers are bound to supply such information regarding transferred subjects as the Government of India may require and in such form as they may direct. The Government of India asked for the preparation of material in a certain form. The legislative council resolved to boycott the Commission, and the ministers by not voting against the boycott clearly indicated their agreement with the council and also apparently their intention to disregard the requisition of the Government of India. They explained, however, at a later date with reference to a question in the council that they were prepared to submit the required information to the Government of India but not to the Commission. Again, the fact

Control
from above.

that the ministers have not complete control over the all-India services administering transferred departments has on more than one occasion placed them in a position of difficulty with the legislative council.

**The
Ministers
and the
legislature.**

32. During the period of office of the first two ministers the ministerial party, that is to say, those members of the council whose political views were most nearly in accord with those of the ministers, were in a minority and in fact virtually formed the opposition. The next two ministers, being landholders, were in a stronger position and could rely on the support of a majority. In the second council the landholders were not so strong, but the ministers were still ordinarily able to rely on the support of the council. In the present council the position is rather peculiar. A considerable number of the landholders have allied themselves with the nationalist party and there is no body of members which can in any sense be called a ministerial party. The Hindu ministers rely for their support on the nationalist party and some landholders, and the Muslim minister looks to his co-religionist and some Hindu landholders. The absence of clearly-defined political parties with definite political programmes of a constructive nature and a developed system of party discipline tends to weaken the position of the ministers, who, instead of leading, have on controversial matters been more than apt to take their cue from their supporters and in consequence to be extremely sensitive to criticism. No minister has had any real difficulty in getting his budget through the council. In the first council the demands for the transferred subjects were generally passed without a division. In the later councils things have not been quite so easy. On several occasions ministers were defeated on votes for reduction of grants, but in no case was the vote regarded as one of no confidence. The nature of these cases is of interest. One concerned a road largely used for military purposes, another concerned an allowance for certain officers of an all-India service, a third concerned a bungalow for a European officer, a fourth was passed more as a censure on the Finance department for the manner in which the budget was presented than as a censure on the minister. In 1923 two motions for reduction of the ministers' salaries were moved, but neither was intended to be regarded as a matter of confidence. A similar motion was moved in 1927 as a censure not on the ministers but on the Governor in Council for his report to the Government of India in 1924 on the working of the reformed system of Government. Ministers have generally been disinclined to oppose resolutions which were likely to command support in the council, or to take a

strong line which would be likely to evoke serious criticism in the council. There have, however, been exceptions, the most notable of which was, perhaps, Mr. Chintamani's opposition on February 27, 1923, to a resolution recommending the establishment of a university at Agra. On that occasion he and his colleague were only supported by 9 and opposed by 31 non-official members, and, in spite of the support of some official members, were defeated in the division lobby. The ministers have thus invariably had to treat the council with much respect and to avoid taking any line which would involve them in difficulties with it. The council on its part has shown no real desire to increase the ministers' difficulties and has, on the whole, been very tolerant. There has been no desire on the part of the council as a whole to deprive ministers of office.

33. The attitude of ministers to reserved subjects has already been seen to be a possible source of weakness to the Governor in Council in his relations with the legislature. It is also a source of weakness to the ministers themselves, and the stronger their support in the legislature the more embarrassing their position is liable to become. If the legislature is not satisfied with the attitude of the ministers it is in a position to make things extremely uncomfortable for them. This results in a serious inherent defect of the dyarchic system, namely, the weakening of the Governor in Council by the pressure of the legislature on the ministers and the weakening of the ministers *vis-à-vis* the legislature by reason of their connection with the Governor in Council.

A cause of weakness.

34. The council can at present exercise its control over ministers in the following ways:—

Means of control.

- (i) By refusing supplies;
- (ii) by reducing their salaries;
- (iii) by motions of no-confidence;
- (iv) by motions questioning a minister's policy in a particular matter;
- (v) by motions of adjournment; and
- (vi) by resolutions.

The first two methods can be used only at a particular time, viz., when the council is engaged in the appropriation of supply. The Reforms Enquiry Committee considered that the council should at other times also be in a position to exercise over a minister more direct control than the two last methods permitted and on their recommendation provision was made in the legislative council rules for motions of no-confidence and motions questioning a minister's policy in a

particular matter. If the council passed a motion of no-confidence a minister would be forced to resign. The effect of a motion questioning his policy in a particular matter would, however, depend on the importance which the minister attached to the matter and his policy in regard to it. The same committee made certain recommendations which would have had the effect of circumscribing the council's power over a minister's salary and would have prevented a council from refusing to vote any salary, but these involved a change in section 53 of the Government of India Act and effect has not so far been given to them. Since 1921 there has only been one motion of no-confidence on January 29, 1924. The member in whose name it stood absented himself on the date fixed for its discussion and the motion was regarded as withdrawn. Reference has already been made to the occasion on which Mr. Chintamani found himself defeated on a resolution. After the division he explained that he did not propose to treat the vote as one of no confidence as the council would very soon have an opportunity of showing lack of confidence on the vote for his salary; an opportunity which, it may be added, was not made use of. There have been no motions questioning a minister's policy in a particular matter. Motions for the reduction of salary and the refusal of supply have already been referred to.

**Relations
between
members of
Government
and heads
of depart-
ments.**

35. In considering the relations between members of Government and heads of departments it is difficult to separate the personal aspect of the matter from the strictly constitutional. It is, however, undoubtedly a result of the constitution that ministers are more inclined to interfere in the legitimate sphere of the heads of departments than members of executive council. Ministers are naturally more sensitive to criticism in the legislature than members of the executive council. The legislature has shown itself to be more interested in the petty details of administration than with broad question of policy. The result has been a tendency on the part of ministers to pass on the pressure of members of the legislature to the heads of departments and thereby to trespass beyond their own legitimate sphere. The extent to which this tendency has gone has depended very largely on the personalities of the individuals concerned. A strong minister may possibly resist pressure more than a weak one, but when he passes it on is likely to encroach more deeply into departmental territory. A strong departmental head, on the other hand, is likely to be less troubled than a weak one. It seems axiomatic from the point of view of sound administration that when wide powers have been delegated to the head of a department he should be left

free to exercise them, but in present circumstances it requires a strong minister to allow this. A difficulty that has less constitutional basis is the increase in the time required for the disposal of cases. A strong capable minister has been found to dispose of business with considerable expedition; but, on the other hand, a weak minister, ever looking for external guidance in matters of executive detail and himself lacking in administrative experience, is apt to be a sore trial to a keen and efficient departmental head. Accessibility on the part of ministers would often facilitate the disposal of cases, but experience has shown that few ministers have regular office hours that it is not the practice for them to have regular interviews with the heads of departments and that it sometimes requires great patience on the part of these officers before they succeed in seeing their minister. This, however, again is a question of personality rather than a result of the present form of constitution. When it is remembered that ministers are Indians responsible to an Indian legislature and in most cases lacking in previous administrative experience, and that heads of departments in all cases are experienced permanent officials, and in many cases Europeans, the smoothness of the relations that have existed between ministers and their departmental heads in this province is remarkable and is a testimony to a great amount of good-will on both sides.

36. The secretaries are secretaries to the local Government and they stand in the same relation to members of the executive council as they do to ministers. Most secretaries and deputy secretaries deal either entirely with reserved or entirely with transferred departments but one secretary and one deputy secretary deal partly with transferred and partly with reserved departments. Secretaries dealing with transferred departments have exactly the same powers and duties under the rules of executive business as those dealing with reserved departments. These powers and duties, put quite briefly, are to dispose of cases of minor importance and submit a weekly list of cases so disposed of to the member or minister, to submit to the Governor a weekly list of cases disposed of by the member or minister, to be responsible generally that the correct procedure is observed in every case, and to bring to the notice of the Governor any case which the secretary considers to be of special importance. The rules include a provision that when a secretary brings a case of special importance to the Governor's notice, he shall inform the member or minister concerned. The Reforms Enquiry Committee proposed that the rules should provide that the secretary should inform his minister of every case in which he differs in opinion

**Relations
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from him and of all other important cases which he proposes to refer to the Governor. The Governor in Council of this province did not agree with the proposal. He regarded it as unnecessary, because the minister does, in fact, always know of such cases either from the secretary or from the Governor, and as undesirable since it seemed to suggest a lack of confidence in the good faith of secretaries. The ministers in office at the time supported the proposal not because they themselves felt it to be necessary, but because they understood that a former minister had had some complaint in this connection and that other ministers might be less fortunate than they themselves. The rule in this province contains no reference to disagreements, but the Governor in Council is inclined to the view that it sufficiently meets the case, and he would prefer not to make any rule which would differentiate between the relation of a secretary to a minister and his relation to a member. Secretaries are in practice quite open about their differences of opinion with ministers and do not go to the Governor behind a minister's back. On the other hand, there is no constitutional ground for the view that the Governor should be less well informed of what is going on in the transferred departments than in the reserved, a view which seems to be at the root of some criticism of the existing position. The Governor should obviously be equally well-informed on both sides: his powers of interference are definitely less on the transferred side, but it is for him, and for no one else, to decide whether he will exercise them or not.

**Actual
experience.**

37. Relations between ministers and secretaries in this province have, on the whole, been good. Differences of opinion have arisen, but these were inevitable and they have generally been dealt with in a spirit of frankness and good-will on both sides. Ministers have on more than one occasion borne testimony to their indebtedness to the secretaries; while the secretaries, on their part, have not been slow to recognize the difficulties of the ministers' position and have done their best to make things smooth for them. During the period of office of the first ministers there was a certain amount of tension, but there were special reasons for that. The position was new to both parties. There was suspicion on both sides, and this created an atmosphere unfavourable to smooth working. One minister was unwilling to give the secretaries in his departments the same freedom in the disposal of cases as other secretaries enjoyed. The same minister's tendency to interest himself in the work of departments for which he had no responsibility was a further source of friction. It is

necessary in rendering an account of the working of Government to refer to these early difficulties. They have now disappeared, but they remain a good illustration of the need for a spirit of reasonableness and good-will in the working of dyarchy. Even with the existence of such a spirit difficulties remain. So long as ministers cannot rely absolutely on the support of a majority in the legislature, and, so long as the legislature continues to show an inclination to interfere in executive details, ministers will not unnaturally be, to a considerable extent, influenced by what they think will be the attitude of the legislature to a particular case instead of deciding it purely on its merits, which is naturally repugnant to the permanent officials in charge of departments. Again, no secretary likes to see the work of his department falling into arrears and there can be no question that the ministers, again, perhaps, not unnaturally, for they lack experience, are often slow in the disposal of business. In spite, however, of these occasions for friction, which are mentioned in no spirit of criticism but merely to illustrate the difficulties which even in the most favourable circumstances are apt to arise in the relations of ministers and secretaries, these relations have, as has been said above, generally been friendly and good.

38. The irrigation secretariat has remained unchanged. Immediately prior to the reforms there were four secretaries (including the chief secretary) and four under secretaries in the civil secretariat. In 1921 this staff was largely increased on a temporary basis by the addition of two secretaries, three deputy secretaries, and eight assistant secretaries, though at the same time the number of under secretaries was reduced from four to two and three registrarship were abolished

The
Secretariat.

After two years' experience of the new system further changes were made which were, to a considerable extent, influenced by the need for economy. The number of secretaries remained virtually the same, though there was an apparent reduction of one post which was due to the legal remembrancer being separated from the secretariat of which he had been made a part for the first time in 1921. One under secretary and seven assistant secretaries were brought under reduction and two deputy secretaries were added, one being the director of public instruction who became an *ex-officio* deputy secretary in the Education department. In 1924 the deputy inspector-general, C. I. D., was made an *ex-officio* deputy secretary in the Police department in order to bring him into closer touch with the secretariat. In 1925

a second deputy secretary was added to the Finance department, and in 1926 owing to the separation of audit from accounts and to the finance secretary becoming chief accounting officer, two officers of the Indian Audit and Accounts department became part of the staff of the Finance department as the deputy chief accounting officer and chief pay and accounts officer, and were made *ex-officio* deputy secretaries. In 1927 the secretarial duties of the Chief Engineer, Buildings and Roads branch, were transferred to the civil secretariat, and this necessitated further re-organization which resulted in the substitution of a secretary for a deputy secretary and the addition of one assistant secretary. The staff, therefore, now consists of six secretaries (including the chief secretary), eight deputy secretaries (four of whom are *ex-officio*), one under secretary and two assistant secretaries. These changes are shown in tabular form below. If the director of public instruction and the deputy inspector-general, C. I. D., are left out of account, as they should be since they existed before 1921, although not then part of the secretariat, the real comparison is between four secretaries, four under secretaries and three registrars in 1920 and six secretaries, six deputy secretaries, one under secretary and two assistant secretaries in 1928. There has, therefore, been an addition of two secretaries, six deputy secretaries and two assistant secretaries against a reduction of three under secretaries and three registrars. Again, however, it must be remembered that two of these deputy secretaries are *ex-officio* in the Finance department and are only doing work which has been transferred from the central to the provincial Government. It should also be added that against one of the secretaryships added to the secretariat there was a corresponding reduction of a secretaryship to the Board of Revenue. The increase in staff, though considerable has not been out of proportion to the increase of work due to the Reforms. There is invariably very heavy pressure of work some time before and during sessions of the legislature, there has been an inevitable tendency to centralize administration owing to Government's liability to criticism in the legislature and its desire to be prepared to meet such criticism; while the preparation of a difficult case for the non-official member of the executive council or a minister occupies more time than the preparation of the same case for consideration by an experienced official would occupy.

STATEMENT.

—	Secretaries.	Deputy secretaries.	Under secretaries.	Assistant secretaries	Remarks.
1920 ..	4	..	4	..	There were also three registrars.
1921 ..	6*	3	2	8	*Includes L. R.
1923 ..	5†	5‡	1	1	†Excludes L. R. ‡includes D. P. I.
1927 ..	6	8§	1	2	§ Includes D.P.I., D.I.G., C. I. D., and two accounts officers.

39. The changes in the scope of the Finance department's activities are of great importance from the constitutional point of view. They have brought practice more into accord with the Devolution Rules 36 to 45. The charge of the loan account, and all matters relating to the service of loans, the responsibility for seeing that other departments maintain suitable accounts, the preparation of an estimate of the total receipts and disbursements in each year, the duty of advising departments responsible for the collection of revenue regarding the progress of collections, have now all been transferred from the Accountant-General to the Finance department.

Changes in
Finance
department,

40. Under Devolution Rule 36, as originally drafted, a joint secretary in the Finance department was to be appointed if the ministers so desired. This rule was the outcome of a suggestion by the Government of India in their first reforms despatch, dated March 5, 1919, that a second or joint secretary should be appointed in the Finance department to act as the financial adviser of ministers in all transferred subjects, to be wholly at their disposal to help them in the financial side of their work and to prepare their proposals for presentation to the Finance department and see that their cases were properly represented there. In January, 1921, the ministers intimated that they had no desire for such an appointment to be made. It would appear from Mr. Chintamani's evidence before the Reforms Enquiry Committee that the feeling of the ministers was that since the joint secretary would be the subordinate of the Finance Member, and the Finance Member is a part of the

Joint
Finance
Secretary.

Governor in Council, the joint secretary would be unlikely to be of any real use to the ministers, and on the other hand would not improbably be a cause of friction between them and the Finance department. In January, 1922, the appointment of a joint secretary was again raised and again dropped. On that occasion the Finance department opposed the appointment, using the very same arguments as had influenced the ministers the previous year. Since then the question of making such an appointment has not arisen, in spite of the fact that in 1926 Devolution Rule 36 was amended so as to make clear what the real duties of the officer were intended to be and at the same time the designation of the officer was changed from that of joint secretary to that of financial adviser.

Indianization of the Secretariat.

41. A question which has been frequently raised in the legislative council since 1921 is that of the number of Indians holding secretariat posts. Time and again in separate resolutions and in budget debates has Government been pressed to increase the number and in reply Sir Sam O'Donnell frequently urged that the demand was not that the most suitable officers should be chosen, but that there should be a racial discrimination in favour of Indians. Prior to 1921 it was exceptional to find an Indian in a secretariat post though from 1918 there had been one Indian secretary. Since 1921 one post of secretary has been continuously filled by an Indian, and since July, 1927, an Indian has also held the post of chief secretary. One post of deputy secretary has been held by an Indian since 1923, while the under secretary has been an Indian continuously since 1921. These two latter posts are now ordinarily filled from the ranks of the U. P. Civil Service (Executive Branch), which is predominantly Indian. The difficulty in satisfying Indian aspirations, which are that at least half the posts of secretary and deputy secretary should be held by Indians, is, in so far as these posts are filled from the cadre of the I. C. S., that the number of Indians of the requisite seniority is, proportionately to the number of Europeans, very small. If the seniority of a secretary be taken as not less than 12 years (that is, four years junior to the most junior of the present secretaries) and not more than twenty-six years (the seniority of the most senior of the present secretaries), there are at present serving in the province (or on leave) seventy-five officers of the required seniority of whom ten are Indians, while of the six I. C. S. secretaries two are Indians. That is to say, that while the percentage of Indian officers of the proper seniority is less than fourteen the percentage actually holding secretaryships is over thirty-three. The position is

likely to change rapidly. There are sixty officers with less than twelve years' service, of whom five are on foreign service and not likely to return to the province; while of the remaining fifty-five, twenty-eight are Indians and twenty-seven are Europeans. The contention of the Government has been that officers who are members of the same service must be given equal treatment, and that the large proportion of Europeans in secretariat posts reserved for members of the I. C. S., was entirely due to the composition of the service and would disappear as soon as the effects of the present system of recruitment began to affect the composition of the higher ranks of the service.

42. Apart from the question of Indianization the legislative council's interest in the secretariat has been directed chiefly to the post of chief secretary and to the appointment department. The reason for this interest is a feeling that the appointment department under the Finance Member dealt with matters which should be dealt with by the Home Member or should be left to ministers. There were a police department, a judicial department, and also an appointment department in the secretariat long before 1921; but the appointment department, and not the police department, had always dealt with matters connected with the personnel of the Indian Police Service, and the appointment department had always dealt with the appointment of superior judicial officers. This practice was continued after 1921, although the police and judicial departments were under the Home Member and the appointment department under the Finance Member, and as the Home Member was an Indian there was a suspicion that the police and judicial appointments had been purposely kept from his control. The matter has since been adjusted so as to allay this suspicion. The appointment department was also unpopular because in the early days of the new system of Government the Governor had called upon it as the department which deals with service questions of a general character to advise on some cases which concerned officers of all-India services who were serving under ministers. The chief secretary shared in the suspicion and unpopularity attaching to his department. There have been in recent years several motions for the reduction of the secretariat budget to register the disapproval of the council to the retention of the post of chief secretary and of the appointment department. On March 10, 1923, a motion aimed directly at an allowance drawn by the chief secretary and indirectly at the retention of the post of chief secretary was negatived by 24 votes to 20. On March

The chief secretary and appointment department.

12, 1927, however the council by 50 votes to 43 carried a motion for the omission of the sum of Rs. 33,000, which was estimated to be the cost of the appointment department, in entire disregard of the fact that, even if the department were abolished, the work at present done by it could not possibly be done by other departments without increase of staff. The Governor restored the whole amount of Rs. 33,000 under section 72D(2)(a) of the Government of India Act. On the same day the council by means of a token cut of Rs. 10 registered its opinion by a majority of 57 votes to 29 that the post of chief secretary should be abolished and that more Indians should be appointed to secretariat posts. The inclusion of further Indianization in the motion made it difficult for non-official members to oppose it and undoubtedly was the real cause of the motion being carried.

The finance department.

43. The functions of the finance department under the reformed system of Government were fully described in paragraphs 74 and 75 of the Government of India's first Reforms despatch, dated March 5, 1919. These paragraphs are important and are reproduced in Appendix I. They state in plain language the principles which are implicit in the devolution rules. They make clear that the intention was that though the finance department must be consulted in all matters which affect either the finances of the province or the rules which govern financial matters it should not have any power of vetoing an administrative proposal. A member or a minister can, under the devolution rules, refuse to accept the advice of the department, and can take action in spite of its refusal to concur in that action. In such a case, however, the finance department is authorized under Devolution Rule 44 to insist that its views be laid before the Governor for the orders of the local Government. That is the constitutional position, and it is important that it should be clearly stated since one of the principal difficulties which the finance department complain that they have had to face is a wide departure of practice from principle.

Relations with other departments.

44. So wide is the wording of the devolution rules that it is necessary for an administrative department to consult the finance department on practically every proposal which involves expenditure, whether present or prospective. If it is not necessary to obtain the concurrence to the expenditure itself, then it is generally necessary to inquire whether the proposal is financially regular. There is no doubt that administrative departments resent this need for constant reference to the finance department, even if they now recognize that such con-

sultation is, under the present financial system, ultimately for their own benefit since it saves them from trouble of one kind or another with audit. Their objection is not so much that the finance department is unreasonable in its attitude to their proposals or interferes in questions of policy as that they are constantly being told that their proposals transgress one or other of the multitude of financial rules, and instead of being grateful to the finance department for keeping them out of trouble with audit, which is responsible for these rules, they confuse the former with the latter and visit their resentment as much on the one as on the other. Administrative departments have shown a distinct tendency to forget the real function of the finance department, viz., to advise. No administrative department need accept its advice; and, if it refuses to do so, the finance department has no further power than that described in Devolution Rule 44, namely, of insisting that its advice shall be considered by the Government. The administrative departments have, however, assumed that an objection made by the finance department is final and have thus conferred on the department a power of veto which was deliberately withheld from it. No case has been brought to light in which the finance department has found it necessary to take action under Devolution Rule 44. The reason for this attitude of deference on the part of administrative departments is possibly to be found in the facts that finance has become much more complex since the reforms, the officers of the finance department have changed much less than officers of other departments and have thus come to be regarded much more as experts, and there is in consequence a general feeling that the chances of the Government overruling them on any financial matter are in fact remote. Whatever the reason, there is no denying the fact that administrative departments are apt to regard finance as a super-department. This is bad for both and a truer realization of the real position of the finance department would not only improve the relations between the departments, but would also act as an incentive to accurate work on the part of all departments.

45. Finance is a reserved subject under a member of the executive council. The member has charged not only of this department but also of important spending departments, namely, General Administration, Land Revenue and Irrigation besides some minor departments. Such an arrangement is obviously open to criticism both on constitutional and on administrative grounds. Can a member in charge of a reserved department, it may be asked, deal with the trans-

The
position
of the
Finance
Member.

ferred departments in an absolutely impartial and unprejudiced way? Further, is the member in charge of finance not likely to favour the spending departments under his immediate control at the expense of those under his colleague in the executive council; or, again, can one man deal with a case altogether satisfactorily from both the administrative and financial points of view? The ideal arrangement would, no doubt, be for the Finance department to be neither reserved nor transferred, if such a position were possible, and for the Finance Member to be in charge of no other departments, or at least of no important spending departments. The Reforms Inquiry Committee recommended that the Finance Member should not hold charge of any large spending department. This Government considered that recommendation, but decided that it was quite impossible to give effect to it so long as there are only two members of the executive council. A glance at the distribution of work in paragraph 15 above will show that this decision was inevitable. The recommendation could, therefore, only be carried out by the creation of a new post which in the opinion of this Government would be an unjustifiable extravagance. The fact is that the present arrangement, however objectionable in the theory, has in practice worked satisfactorily. A reference to the figures given in appendix II clearly prove that the transferred subjects have been very generously, treated in the matter of finance and that the subjects under the Home Member have not suffered as compared with those under the Finance Member.

**Relations
of the
department
with the
two sides
of the
Govern-
ment.**

46. In its relations with the Home Member and with the Finance Member as member in charge of departments other than that of finance the department has experienced no difficulty. Its relations with the ministers have varied to some extent with the personality of the different ministers and also with the financial position of the time. At the outset there was no difficulty, but in the second year of their office relations with the first ministers became somewhat strained. This seems to have been due in part to the strained nature of the relations generally existing in that year between the two sides of the Government and in part to the fact that no money was available for new expenditure. In the summer of 1923 the second ministry questioned the right of the department to issue a circular in which heads of departments were informed that it was useless to send up schemes involving new expenditure because there was no money available for them. That admittedly was an interference in the administrative sphere, as it had the effect of dissuading departmental officers

from preparing new schemes though obviously a minister might have been willing to spare money allotted to another purpose to such a new scheme. In more recent times there has been a tendency on the part of some ministers, like the departments under them, to magnify the position of the Finance department and occasionally to try to persuade it to modify its attitude on administrative grounds instead of forcing it to take action under Devolution Rule 44. On the other hand, there has been, on at least one occasion, some complaint against the department for dealing direct with the head of a department in regard to the reappropriation of a considerable sum instead of taking action through the minister. Outwardly relations have been friendly, but the department has at times been conscious that ministers resented its apparent dominance.

47. The relations of the department with the Government as a whole have been complicated by the fact that it is itself a reserved department. This has been a potential source of trouble from the very first. Friction first arose as has already been described in 1922. In connection with the budget of 1923-24 there was considerable disappointment and some controversy owing to the fact that at the time no money was available for new expenditure in the transferred departments. There was, as a matter of fact, no money available either for reserved or transferred departments, but the charge was made in the legislature that the finance department desired to starve the transferred departments. This charge is made even to the present day, though the ministers themselves would probably not go further than complain that the transferred departments do not get as much money as they really require. It can, however, be argued that the facts contradict this view. Year by year the finance department has strained every nerve to provide the transferred departments with the maximum amount of money available and it has consistently cut down the allotments of the reserved departments to the minimum consistent with efficiency, and even sometimes below that minimum. When the campaign of retrenchment began in 1923-24 the pruning was entirely at the expense of the reserved departments with the sole exception of the Buildings and Roads branch of the Public Works department. The expenditure on the principle reserved and transferred departments from 1920-21 to the present year, as presented in the budget or in supplementary estimates is shown in appendix II. These figures afford the best proof that the finance department has not favoured the reserved at the expense of the transferred departments. The increase in-

Relations
with whole-
Govern-
ment.

expenditure since 1920-21 has been over 45 per cent. in the principal transferred departments and just under 10 per cent. in the principal reserved departments.

**District
administra-
tions.**

41 The authors of the report on Indian Constitutional Reforms recognized that the district is the administrative unit and that Indian administration in the past had depended mainly on the district officer. In paragraph 123 of their report they gave an admirable description of that officer's unique position, but they realised that that position must change as India advanced on the road to self-government. The district officer still retains his dual capacity. He is still the head of the revenue organization and he is still chief magistrate; and with his revenue and police subordinates scattered throughout the district still has a very powerful and on the whole efficient organization at his command. Nevertheless, his position has altered in several respects in recent years, and he has now neither so large a sphere of control nor has he quite so much freedom within the sphere that is left to him.

**The district
officer and
local bodies.**

49. The main difference in his sphere of control is due to the development of local self-governing bodies. The withdrawal of the municipal boards in this province from the control of the district officers began some years before 1921, but the freedom on the district boards dates from the passage of the District Boards Act in November, 1922. Prior to that date the district officer had been chairman of the district board and had both directed its policy and been its chief executive officer, and had in this capacity administered directly such matters as rural education, dispensaries, sanitation, communications, veterinary work, pounds, fairs, serais, etc. He is no longer chairman of the district board, and he has now no effective control over either municipal or district board activities. This removes from his direction a very large branch of district administration, and, what is more important, a branch that closely affects the welfare and contentment of the people. It does not, however, mean that the activities of these boards no longer occupy his time. On the contrary, district officers report that, if anything, they have now to give more time to the affairs of these bodies, and that their work in municipal and district board matters, if less effective, is more onerous than it formerly was. The chairmen of the boards are generally anxious to secure the support and advice of the district officers, though as one district officer points out "if such advice involves vigorous action the board as a whole will not support the chairman in accepting it."

Most of the present generation of district officers have in the earlier years of their service themselves been chairmen of local bodies and are, therefore, particularly well able to assist inexperienced chairmen. But the rising generation of officers no longer gain such first-hand knowledge of local administration, and when they in their turn reach the rank of district officer they will not be able to give the same assistance to the chairmen. By that time also the chairmen themselves may have more experience and less need to lean on the district officer. Separation of the district officer from local administration is, therefore, likely to become more complete. There has undoubtedly been much deterioration in local self-government, much jobbery, and much injustice. The district officer is constantly being appealed to regarding wrongs which he has no longer the power to remedy. Such appeals do not all come from the ignorant cultivator or from the poor shop-keeper. One district officer reports as follows: "I am being constantly urged by a leading *swarajist* politician to use my powers to interfere with the discretion of the municipal board. Another leading nationalist politician, who is a member of the board, after a proposal put forward by him had been rejected by the board, approached me to use powers which he considered I possessed to intervene and compel the board to accept his proposals." These appeals place district officers in a position of difficulty. The position would be impossible both for him and the chairman if the district officer was to take up the case of every person who considered himself wronged by a board. The people must obviously learn to hold their representatives on the boards responsible for their actions, and they will only do so by being allowed to feel the effects of their maladministration. In the meantime, however, they are unwilling to believe that the district officer can do nothing and when he refuses to interfere, merely think him unsympathetic. Up to the present this has not appreciably affected the position of the district officer in the eyes of the people, but it is likely to do so to an increasing extent. If the "protector of the poor" can no longer protect them it is inevitable that he must be lowered in their eyes and to the extent to which he is so lowered, to that extent his power to maintain law and order will be weakened. Even at present the removal of local bodies from the district officer's control may weaken his power to suppress trouble. It not infrequently happens that dissension is fomented in a small town or village by some petty official, such as the village school-master or a pound-keeper. When all such officials were under the district officer he could very easily stop the trouble before

it became serious. That is now less easy. Another possible source of embarrassment to the district officer is the exercise of the Government's power to nominate members to local bodies which in his opinion tends to be used to meet political claims rather than to place the best qualified candidate on the board with the result that the recommendations of the district officer are apt to be disregarded.

The district officer and the Government.

50. Within what may be called his own legitimate sphere the position of the district officer has certainly not become easier. In the dark days of 1921-22, when the non-co-operation movement was at its height and the new Government was functioning as a unitary one, the position of the district officer was far from enviable. The tide of anarchy was rising all round him, but he was allowed no freedom of action, and could take no steps to stem it without express orders from Government. To make matters worse Government orders were often the somewhat indecisive result of a compromise between its official and its non-official sides and district officers found difficulty in interpreting them. The result was that district officers did not know where they stood and to some extent lost faith in Government. Since 1922 there has been no similar complaint though communal tension has given rise to many difficult situations. The fact that Government, even on the reserved side, is largely dependent on the legislature must, however, inevitably set up a tendency towards centralization and render Government less willing to leave discretion in the hands of their local officers. On the other hand, the burden of responsibility resting on the district officer has never been greater than in recent years. Severe communal tension has prevailed since 1924. The outbreaks due to this cause have been sufficiently numerous, but, as one district officer has said, "for every such explosion that takes place fifty are rumoured and twenty averted." Every religious festival is a time of anxiety, and the task of keeping the peace has been rendered more difficult by the reduction of the police force which was made by Government in the years 1922 and 1923.

The district officer and the legislature.

51. Another factor that has not rendered the position of the district officer easier is the campaign which the politician has waged against his authority. This began long before 1921, but it is only necessary to look at the proceedings of the legislative council to realise the force with which it is still carried on. The present leader of the *swaraj* party, speaking in the legislative council on March 18, 1925, referred to members of the council as coming forward every

day with our resolutions and motions attacking a patwari, a chaprasi, a deputy collector, a tahsildar, and a district magistrate." There is truth, if also some picturesque exaggeration, in that description of the attitude of members of the legislature to constituted authority. Another member of the legislature, speaking on August 4, 1921, said "ever since the annexation of the province of Oudh the worst enemies of the people have been the local officers. I am sorry to say that I have the same to say of the present Government as well." Since that is the attitude of a section of the members of the legislature, it is not surprising that the actions of district officers are constantly being made the subject of questions and less frequently of resolutions. The tendency of a section of the legislature to interfere in executive matters can be clearly traced in the interest which it shows in such petty matters as the actions of subordinate executive officials, the promotion of clerks in district offices, the punishments awarded to sub-inspectors of police, etc. The very fact that the grievances, real or imaginary, of subordinates can be freely voiced in the legislature obviously tends to a weakening of discipline and may become a real source of danger. An inexperienced legislature is particularly liable to err in this way, but fortunately up to the present this form of activity has been confined to a comparatively small section of the legislature and has not seriously impaired executive authority.

52. In pre-reform days not only the district officer but all other officers of the district staff moved freely among the people and spent a considerable part of each cold weather in camp. The non-co-operation movement made camping a difficulty in many places, and that combined with the clamour of the politicians, and also the need for economy, influenced Government to reduce to a material extent the periods to be spent on tour by officers of the district staff other than the district officer himself. This undoubtedly affected the efficiency of the administration. It is largely by the maintenance of close personal touch between the people and officials in the districts that the work of administration is carried on with smoothness and efficiency. Touring.

53. To sum up, the district officer is still the principal executive agent of Government, the one man who can get things done, whether it be the repression of an outbreak of disorder, the encouragement of recruiting, or even, and this is particularly interesting as it refers to the transferred side, the initiation of a child welfare movement. He is still the The present position.

principal link between the Government and the people. If his sphere of authority has been largely curtailed, his power to maintain law and order and to collect the revenue seems, for the present at any rate, to be little impaired. But the foundations of his authority have undoubtedly been weakened, and it remains to be seen whether they are still strong enough to withstand such an onslaught as they successfully withstood in some parts of the province in 1921-22.

PART IV.

RELATIONS WITH THE GOVERNMENT OF INDIA AND THE SECRETARY OF STATE.

54. Relations between the provincial Government and the Government of India can most conveniently be considered under three different aspects as either—

Introductory.

- (1) financial,
- (2) administrative, or
- (3) legislative,

These aspects are not mutually exclusive; for example, administrative control can be exercised through legislation and also through financial regulations. But they can be distinguished in a general way, and it will make for clearness to attempt to keep them apart.

55. The Government of this province have from a time long prior to 1921 been dissatisfied with the financial arrangements existing between them and the Government of India. The pre-reform financial settlements were based on expenditure. They thus had the effect of favouring the more developed provinces in which expenditure was high, at the expense of those less developed in which expenditure remained comparatively low. They almost placed a premium on lavish expenditure and a penalty on the pursuance of a sound financial policy. This province as compared with the three presidencies has always been backward in development and in pre-reform days never obtained a settlement sufficiently generous to allow it to make up lost ground. There was great hope that the introduction of the Reforms in 1921 would signalize a change in the attitude of the Government of India and would place this province in such a position that it could make substantial advance. These hopes have not been realised. On the contrary the settlement made in 1920, which has come to be known as the Meston Settlement, imposed so heavy a burden on the province that it has only now begun to recover from the struggle of the past seven years. Since 1921 it has paid to the Government of India a total sum of nearly thirteen crores, while its own accounts have year by year closed with a deficit. The financial history of these years is told in another place. Here it is the basis of the financial settlement and its inequity as applied to this province that must be considered.

Financial relations.

56. This Government accepted the calculation made by the Committee on Financial Relations of the deficit which would have to be made good to the Government of India by

The meston settlement.

contributions from the provinces. They also accepted the committee's proposal that the amount of the initial contribution to be paid by each province should be based on the increased spending power of the province resulting from the new system of allocating to the provinces the entire receipts under certain heads. But they differed from the committee in regard to the method of apportioning that increased spending power between the contribution to the Government of India and the province itself, and also in regard to the amount of the surplus which would be left to this province. These two points of difference really merge into one because the committee made no attempt to apportion the Government of India deficit between the provinces in such a way that each province should contribute the same proportion of its gross increased spending power. On the contrary they considered each province on its merits and apportioned its gross increased spending power to the Government of India contribution and to the province in such ratio as they considered reasonable having regard to the special circumstances of each province, and in such a way as to leave every province with a surplus. They frankly admitted that this method was inequitable, but in spite of that they held that it was, in the circumstances, the best method, since it was impossible to disregard the existing commitments and the existing financial position of each province. In the case of this province the apportionment was two hundred and forty lakhs to contribution and one hundred and fifty-seven lakhs to the province. This latter sum the committee described "as a windfall so vast that it could not be employed profitably for several years." Had this latter sum been actually available for expenditure on development there would have been no cause for dissatisfaction. But the fact was that the surplus existed merely on paper. This Government, in a letter written in May, 1920, was able to point out that twenty-nine lakhs out of the one hundred and fifty-seven would be required for expenditure resulting from the Reforms, even without allowing for the salaries and allowances of members of the executive council, ministers, and the president and deputy president of the legislative council; and that of the remainder, no less than one hundred and twenty-two lakhs were required for the revision of the pay of the public services, the subordinate establishment and the police. There was therefore no substantial sum left for new expenditure, with the result that either development was certain to be arrested or resort to

taxation would be necessary. Actually both these results followed. Development was arrested and resort to taxation was necessary in the years 1923-24 and 1924-25, apart altogether from an increase in irrigation rates in 1923 which was calculated to yield an extra twenty-two lakhs. Sir Harcourt Butler anticipated that a system of contribution under which taxation in the initial years was inevitable would not be willingly accepted by the province, and his anticipations have been realised to the full. The contribution has not only been a strain on the resources of the province, but has also roused such resentment among members of the legislature that the council only with great reluctance agreed to some slight additional taxation in the years mentioned above, and in 1925 showed clearly that it would tolerate no further taxation until the contribution was entirely remitted.

57. This Government regarded the settlement as unfair to the province and unduly favourable to some other provinces, particularly Burma with its enormous mineral and forest resources and its entire freedom from famine. The committee admitted that this province had 'considerable arrears of administrative progress' to overtake, but their apportionment of the provincial contribution left this Government only a very small surplus for development. Furthermore, the distribution was based on the figures for a particular datum year which in certain respects was very unfavourable to this province. Thus in most provinces the revision of pay of subordinate establishments had already been made; in this province a scheme costing seventy-six lakhs was awaiting sanction and had ultimately to be met out of the surplus. Again in this province the improved system of income-tax was in force before the datum year, so that the income-tax figures for that year were high. In other provinces the system was not introduced till later and their receipts stood at a relatively low figure. The result has been that whereas this province has received only a few thousand rupees under Devolution Rule 15 as their share of increased income-tax receipts, other provinces are believed to have received large sum.

Unfavourable to this province.

58. One of the principles underlying the settlement was that each Government should pay for services rendered by other Governments. The Government of India themselves have been very slow to act on this principle as the following cases show:—

Subsequent adjustments.

(1) This Government prior to 1921 received from the Government of India an assignment to compensate them for loss of revenue from the abolition of the one anna revenue

stamp. That assignment had long before 1921 ceased to represent the true loss to the province. The Committee on Financial Relations made no allowance for this, and it was not till the year 1924-25 that the assignment was adjusted, with a gain to this province of 1.17 lakhs per annum which ought to have been received from the year 1921-22.

(2) This province provides police guards for various purposes to the Government of India. These should have been paid for from 1921-22, but have in fact only been paid for from 1924-25.

(3) A great deal of work is done for the Government of India in the treasuries of this province into which a considerable part of their revenues are paid, and from which a very large number of pensions are paid on behalf of the Army department. These transactions are brought to account by the provincial staff. The Government of India have refused to consider payment for these services on the ground that they themselves render equally valuable services to the province in the matter of currency and resource. This Government recognize the force of this argument, but consider that the balance of benefit rests with the Government of India. In any case the matter was one that should have been adjusted at the time of the settlement.

(4) This Government are satisfied that the railway police the cost of which falls, entirely in the case of State and to a very large extent in the case of company lines, on provincial revenues are rendering many services to the railways which are in no sense police services and for which the railways should pay. They have represented the matter to the Government of India, but it still awaits adjustment.

(5) A case of a different nature is that of the licence fees for possession of petroleum and other explosives which should, if the Devolution Rules were strictly followed, be credited to the Government of India, but are actually taken by the provincial Government. This matter has been left for adjustment when the settlement is revised.

These cases show that the settlement which was intended to be final has been undergoing a constant process of adjustment from which the provinces have on the whole gained. Their gains, however, have been unequal and have to some extent added to the inequity of the settlement. Thus Madras, Bombay and Bengal have gained far more than this province from the adjustment in regard to the one anna stamps, while Bombay and the Punjab must have gained much more from

the payments for services connected with the Indian States, which have been made from the year 1921-22 but were not included in the settlement. Had these adjustments been made by the Committee on Financial Relations they would have been taken into account before the distribution of the provincial contribution was fixed, with the result that the provincial of the contribution would almost certainly have been different.

59. There are also two further matters of considerable importance in regard to which this Government feel that the Government of India have profited at the expense of the province :—

Two
important
matters.

(1) The first of these is the payment of interest on pre-reform irrigation protective works. The Government of India often used the large revenue surplus of pre-reform days to finance railway and other large works, whilst protective irrigation works were generally financed out of the pre-reform famine insurance grant, composed mainly of contributions from provincial revenues. When Sir Edward Baker was Finance Member, the Government of India classed the whole of this expenditure as capital outlay, shown in *pro forma* capital accounts, with interest charges, also *pro forma* debited to the railways or the province. When the new constitution was under consideration the Government of India converted these *pro forma* accounts and charges into true capital accounts and true interest. The result, so far as this province is concerned, is that it is now paying some eight lakhs annually as interest on money which was never really borrowed and which to a large extent was provided from their own revenues. The best comment on the extraordinary nature of this transaction is that under the new constitution such works have been definitely classed as belonging to a type that must be met from revenue. This Government has consistently objected to these charges from the time of their imposition. In 1922 the Finance Member of the Government of India admitted the strength of the provincial case, but refused to take the matter up until the contribution had been entirely remitted. In 1927 this Government made further representations to the Government of India, who refused to take up the matter till the contribution had been finally remitted. This has now been done, and this Government are again addressing the Government of India. This province has already paid well over half a crore of rupees to the Government of India as interest charges and should in equity receive a refund of the whole amount paid, with interest.

(2) The second matter relates to the use of provincial deposits. These deposits were not brought into the Meston settlement. They are of various kinds of which the most important are—

- (a) sums paid into courts by litigants;
- (b) sums received as security from certain Government servants and from contractors;
- (c) balances of court of wards' estates;
- (d) balances of various local bodies; and
- (e) provident funds.

The sum involved is a very large one. The annual balance of incomings over outgoings in this province seldom falls below two, and is generally nearly two and half, crores. These deposits are entirely in the hands of the Government of India who use them in connexion with their ways and means operations and are thus relieved of the necessity of borrowing large sums of short-term money. But, with the possible exception of provident funds, the money clearly does not belong to the Government of India, and if used at all, it should be used for the benefit of the province to whose people it belongs. In 1922 the Government of India invited this Government to consider the question of taking over their deposits, but they later changed their attitude, arguing that the deposits were of the nature of banking deposits, forming part of that public account of which the Governor-General in Council is sole custodian (Devolution Rule 16) and that consequently he alone had the right to use these deposits. This Government were prepared to admit the validity of that argument so far as it goes, but in reply it can be argued that since the deposits arise out of provincial subjects they ought under Devolution Rule 14(1) (b) to be regarded as provincial sources of revenue, or, if it be held that they are not true receipts and consequently not covered by Devolution Rule 14(1) (b), that they should in equity be declared a provincial source of revenue under Devolution Rule 14(1) (h). More recently the Government of India raised the question in another form, namely, as part of the proposal to make provinces responsible for their own ways and means and resource operations. The Reforms Enquiry Committee recommended that this proposal should be further examined, but so far as this Government are aware no further action has been taken in the matter. Even, however, if provinces are not made responsible for their own ways and means operations, there is no reason why they should be deprived of the benefit of money which is so essentially their own. If the Government of India require the money they should pay interest on it to the province.

60. A common criticism of the Meston Settlement has **Taxation.** been that the Government of India obtained the receipts from those heads of revenue which were capable of considerable and rapid expansion, and left to the province the receipts from those heads in which expansion was likely to be neither rapid nor considerable. There is considerable truth in this criticism and it was therefore the more necessary that the provinces should have been placed in a position to raise additional money by taxation. If, however, reference be made to the Scheduled Taxes Rules, it will be seen that the powers of taxation given to provinces were very circumscribed and of little use in a predominantly agricultural province where the yield from taxes on betting, advertisements, amusements, or luxuries would be insignificant. Taxes on non-agricultural land and succession duties would be difficult to impose and difficult to collect. There remain only registration fees and stamp duties. In connexion with the inquiry made by the Indian Taxation Enquiry Committee the position of this Government in regard to the imposition of additional taxes was examined in 1925 and it was estimated that if further taxation on the agricultural class was avoided the fullest measure of additional taxation that could be imposed would yield only about half a crore of rupees. Fortunately, however, there is at present a prospect of additional receipts under the land revenue head owing to a cycle of settlements having recently been started and under the irrigation head when the Sarda canals have begun to operate. The proposed revision of the famine insurance fund rules will, within three years, also relieve the province of an annual charge of sixteen lakhs.

61. It was a result of the Reforms that local governments **Borrowing.** were given powers to borrow money in the general market. These powers were defined in the Local Government (Borrowing) Rules made under the Government of India Act. The experience of this Government has shown these rules to be satisfactory. In 1921 this Government raised in the open market a development loan of four hundred and twenty lakhs. The term for repayment is 1931 to 1941, that is to say, Government may repay it in any year from 1931 to 1940, and must repay it in 1941. The loan was issued at a high rate of interest and considerable discount and it will be profitable to repay it at the earliest possible date. A sinking fund has been formed and by 1931 will amount to over one and a quarter crores, so that the amount remaining to be borrowed for repayment of the loan will be considerably less than the amount of the original loan. In 1925-26 the Government of

India inaugurated the provincial loans fund and since that date this Government has financed all its capital expenditure by advances taken from that fund. There are obvious advantages in a fund of this nature since the centralization of loan operations in a single fund necessarily means cheaper money.

**Admini-
strative
relations.**

62. Administrative relations are regulated by section 45 of the Government of India Act and by rules under the Act. Section 45 prescribes that subject to the provisions of the Act and rules made thereunder every local Government shall obey the orders of the Governor General in Council, and further that every local Government is under his superintendence, direction and control in all matters relating to the Government of the province. In regard to reserved subjects the powers of the Governor General in Council are unlimited. In regard to transferred subjects they have been restricted by Devolution Rule 49 to the following purposes:—

- (1) to safeguard the administration of central subjects.
- (2) to decide questions arising between provinces, and
- (3) to safeguard the powers of the Government of India in regard to the High Commissioner, borrowing, and the services.

In regard to reserved subjects the statutory relationship of the provincial Government to the Government of India was not altered by the Reforms, though the constitution of the provincial Government was fundamentally changed. In regard to transferred subjects there was of necessity a radical change and ministers responsible to the provincial legislature were given a wide measure of freedom. In the case of the reserved side the partial subjection of the Government to the provincial legislature, and in the case of the transferred side the lack of entire freedom from higher control has, as was inevitable given rise to difficulties.

**On the
reserved
side.**

63. On the reserved side the difficulty arises from the fact that the Governor in Council is on the one hand responsible to Parliament through the Government of India and the Secretary of State, is bound to obey the orders of these higher authorities and is under their superintendence, direction and control in all matters, while on the other hand, he can only act in certain matters with the co-operation of a legislature which owes responsibility to no higher authority, is jealous of its own dignity and resentful of external interference. It has been contended that at the outset neither the Secretary of State nor the Government of India fully appreciated the

delicate position in which the provincial Government was placed. Sir Harcourt Butler's Government was seriously embarrassed by directions from both these authorities when attempting to get the very controversial Oudh Rent Bill through a hostile legislature. There was no question of the legal right of these authorities to give directions, but this Government, as constituted at the time, felt that in that particular case the right was exercised in a manner which showed a lack of appreciation of the local position and of the effects of the Reforms on this Government's affirmative power of legislation. Another instance of a somewhat similar kind at a later date was the Government of India's attempt to insist on the introduction within a specified time of certain reforms in jail administration, though obedience to their orders would have involved this Government in heavy expenditure which the legislature would not have voted and the Governor of the time would not have certified. On representations from this Government the Government of India ultimately withdrew their time limit for the introduction of these reforms. A difficulty of another kind which was felt at the outset but has since disappeared affected the services. Some members of the services had not been appointed by the Secretary of State in Council and their pay was therefore not protected by section 72-D of the Government of India Act from the vote of the legislature. Even in cases where the pay was protected allowances remained subject to the vote. These difficulties were removed by the passage of the Government of India (Civil Services) Act of 1925. Even now, however, the members of the services are liable to indirect attack in the legislature, for example, by refusal of supply for their subordinate staff. It can, however, be said that since 1925 the position of the services on the reserved side has been substantially secured and the provincial Government has been placed in a position to carry out any orders that the Government of India or the Secretary of State might issue.

64. Devolution Rule 49 has worked as satisfactorily as could have been expected and this Government has no general complaint in regard to the manner in which either the Government of India or, for that matter, the Secretary of State has exercised his powers. The powers of superintendence, direction and control vested in the Secretary of State by sub-section (2) of section 2 of the Government of India Act have, it may here be explained, been restricted by rule under section 19-A of the same Act to the purposes described

On the
transferred
side.

in Devolution Rule 49 with two additional purposes which are not relevant in the present connection. While, however, there has been no ground for general criticism, there have been instances which deserve mention. In the case of the Allahabad University Bill in 1921 the Government of India tried to force on this Government provisions which neither the minister nor the legislature would have accepted. The Allahabad University was an old established one and thus came within the provincial subject of education. The Government of India's action in this case was therefore regarded by this Government as then constituted as beyond the scope of Devolution Rule 49. Another instance in which a department of the Government of India appeared to disregard the effects of the Reforms was when the Public Works department formulated precepts for the provincial and subordinate services regardless of the fact that these were transferred matters. Another case in which the Secretary of State was involved was that of an officer of an all-India service who had been temporarily re-employed by this Government after his retirement. On the completion of his re-employment this Government refused to grant him a passage to England on the ground that the grant of such a passage was not a condition of his re-employment. He later applied to the Secretary of State, who sanctioned the payment. The item was votable and the legislative council rejected the demand when it was put before it. These instances occurred in the earlier years of the new system and there have been no later instances of cases of interference which this Government regarded as unreasonable. The retention of control over the all-India services has, however, from the first and down to the present time been a cause of difficulty. It will be sufficient here to give a few instances of the sort of difficulties that have arisen from this division of control :—

(1) A minister anxious to reduce the number of administrative posts filled by members of an all-India service operating in the transferred field has found his policy hindered by the control of the Secretary of State over the all-India services. Another minister anxious to increase the provincial medical service has found his hands tied by orders of higher authority in regard to the number of posts that must be reserved for officers of the Indian Medical Service.

(2) An Indian officer of the Indian Education Service was promoted to the selection grade in supersession of certain senior officers. One of the officers superseded appealed to the

Government of India. As a result of his appeal the Governor acting with his Ministers cancelled the previous orders. The minister has had to justify his final orders in the case before a hostile legislature which by an overwhelming majority signified its disapproval. Not a single non-official voted with the minister.

(3) A minister objected to recognizing that permanent engineers had a better claim to divisional charges than temporary officers. The Government of India ruled to the contrary and in the end the minister accepted the Government of India's ruling.

(4) A minister promoted to the post of superintending engineer an Indian officer who had been repeatedly superseded by an officer junior to him. The officer superseded applied for proportionate pension and also appealed to the Secretary of State. The Secretary of State, after making certain intermediate proposals, ultimately decided that the local Government had not exercised their discretion in a manner which would justify him in overruling them. The officer superseded retired from the service.

There appears to be no way out of such difficulties so long as the existing constitutional position is maintained. It is clearly impossible for the Secretary of State and the Government of India to surrender their control without which the position of members of the all-India services operating in the transferred field would be extremely precarious. Difficulties are, however, likely to be less acute in the future than they have been in the past. All parties have by now become accustomed to the position, and recruitment to the all-India services in the transferred departments has been stopped. There is, however, also another kind of difficulty which calls for mention and which is likely to continue. In the administration of some transferred subjects officers are employed whose main sphere of activity lies in reserved departments. An example is that of officers of the Indian Civil Service or of the United Provinces Civil Service who in the districts have duties connected with certain transferred subjects, e.g., excise. On one occasion a district officer refused to move in the matter of an appeal in an excise case. The member of the executive council in charge of the administration of justice supported the district officer and the Governor was forced to intervene in behalf of the minister in charge of excise. Difficulty again may arise from the fact that the posts of heads of certain departments on the transferred side are reserved for officers on the cadre of the

Indian Civil Service, for example, the commissionership of excise, and the registrarship of co-operative societies. On one occasion a minister was anxious to have one of these posts removed from the cadre of the Indian Civil Service and was opposed by the Governor in Council. Such difficulties have not been frequent, but the anomaly exists that ministers have to administer transferred subjects in some cases through an agency which they cannot themselves select and over which they have not full control.

Legislative relations.

65. It has been recognized as one of the weaknesses of the present constitution that there are very few matters on which provincial Governments can legislate without obtaining the previous sanction of the Government of India. This is due to the wide nature of the terms of sub-section (3) of section 80-A of the Government of India Act, especially clauses (e), (f) and (h). In giving evidence before the Reforms Enquiry Committee an officer of the Legislative department of the Government of India admitted that experience had shown that all bills of any magnitude, whatever their subject matter inevitably contained provisions in respect of which the previous sanction of the Government of India is required under one or other of the clauses of sub-section (3) of section 80-A. Such sanction is not only required to the original provisions of a bill but also to all amendments which come within the mischief of any of the clauses of sub-section (3). The necessity of obtaining sanction in the case of amendments has been disputed, but this Government realize that if the Government of India are to discharge the duty imposed upon them by the Act, they must insist on this, as it would be absurd to require sanction for a provision in a bill as originally drafted and not to require it for the same provision if introduced at a later stage as an amendment. But it is obvious how serious are these restrictions on the powers of the local Government and how greatly they may hamper a local Government in their relations with the provincial legislature. Even provisions which have become stereotyped in provincial laws still require sanction. This Government's experience in this respect has doubtless been the same as the experience of other provincial Governments. At first the Government of India were exceedingly meticulous in the application of this section and appeared to strain to the utmost the power of control which it conferred upon them over provincial legislation. It is understood that the Government of India's attitude was deliberate and intended to help provincial Government to realize the true position and accommodate themselves to it. Of recent

years both the Government of India and provincial Governments have become accustomed to the position, and relations have accordingly become more smooth. This Government, at any rate have no complaint to make of the manner in which the Government of India have administered the law in recent years. Their complaint is in regard to the law itself, and they would welcome any amendment which would free them from the need of constant reference for the sanction of higher authority.

PART V.

ADMINISTRATION OF DEPARTMENTS.

A.—RESERVED.

B.—TRANSFERRED.

Note.—The part dealing with the transferred departments is printed separately.

CHAPTER I.

GENERAL ADMINISTRATION.

66. There is in the provincial secretariat a department known as the General Administration department. This section, however, is in no sense a review of the activities of that department. On the contrary it deals with certain matters which come within the sphere of other departments of the secretariat and the term General Administration is used only as a convenient heading for the review of certain questions which have been prominent since 1921 and are of general administrative interest.

Explanatory.

67. Reference has already been made to the influence of the non-co-operation and *khilafat* movements on the working of the new constitution. These movements were responsible for a very serious disturbance of the public peace in the years 1921 and 1922, and a brief sketch of their history in this province is of interest as showing how inflammable the populace is and how easily it can be roused to violence. The non-co-operation movement was a combination of the *khilafat* and *swaraj* movements. Non-co-operation was first adopted by the *khilafat* party in June, 1920, and Mr. Gandhi was able to persuade the Congress to adopt it later in the same year. At the meeting of the Congress in December, 1920, Mr. Gandhi was in a position of almost unquestioned control and other leaders of wide reputation were denied a hearing by a clamorous crowd. Many delegates returned home in the hope of obtaining *swaraj* within a year. The winter of 1920-21 was chiefly devoted in this province to a campaign against schools and colleges which resulted in the permanent secession of about 4,500 students. Agrarian trouble had been threatening from the middle of the previous year. The root cause of this was that there was a great scarcity of land in the southern districts of Oudh and the landholders, who were deprived of a reasonable enhancement in rents by the provisions of the Rent Act of 1886, were in a position to demand very large premia

Non-co-operation movement.

from their tenants, none of whom had rights of occupancy, before they agreed to renew their tenancies. In other ways also the Oudh tenants were in a position of subservience and were possessed of very few rights. The period of high prices brought their discontent to a head and the non-co-operation agitators found them an easy prey to their anti-Government propaganda. They fanned the smouldering fires till they became a dangerous conflagration early in 1921. There were serious outbreaks in the Rae Bareli and Fyzabad districts, while the districts of Sultanpur, Partabgarh, Bara Banki, and Hardoi were all affected to a less serious extent. The position in all these districts was extremely menacing and there was a very real danger of a complete breakdown of authority. Government applied the Seditious Meetings Act, took up the question of amending the Oudh Rent Act, and gave deputy commissioners discretion in the matter of refusing ejectments. The effect of this remedial action was quickly felt and the immediate danger soon passed. Agrarian discontent had been merely the fuel for the fire. When it was no longer available the agitators looked elsewhere. The movement was frankly nationalist, *swaraj* was described as the goal and non-co-operation the means. Congress committees were formed or reorganized and their recruiting and collecting agents carried agitation into the villages in all parts of the province. Unauthorized tribunals were set up in many places, and many of them conducted their proceedings in an oppressive manner. Speeches gradually became more violent and Government had to enforce the law against the more reckless speakers. These prosecutions evoked local demonstrations, one of which was attended with serious mob violence at Aligarh in July, 1921. The cry of repression was raised and in some quarters a desire to start civil disobedience was manifested. The Ali brothers only escaped prosecution in this province at the end of May by apologizing for their incitements to violence. Two months later, however, they delivered seditious speeches at a conference at Karachi and were prosecuted in September. Their prosecution inaugurated a short period during which Government was openly defied by widespread publication of the seditious statements which had formed the basis of the prosecution. In August and September Mr. Gandhi launched the campaign for the complete boycott of foreign cloth by way of preparation for civil disobedience. Large demonstrations, with bonfires of foreign cloth as their main feature, took place in many of the large centres of this province. Shops were also picketed by volunteers in order to compel dealers to sign a *swadeshi*

pledge. This campaign revealed more clearly than any previous phase of the movement the incendiary and aggressive character of the volunteer organizations which had become one of its features. The results did not satisfy Mr. Gandhi, but in spite of that he authorized a restricted form of civil disobedience. In November, 1921, Government applied Part II of the Criminal Law Amendment Act to the province and declared these volunteer organizations to be unlawful associations. The Congress replied by sanctioning civil disobedience on this issue which took the shape of provocative demonstrations of newly-enlisted volunteers many of whom were drawn from the lower classes and were volunteers only in name. Prominent leaders were arrested for openly defiant acts, but the demonstration gradually became more violent and more openly hostile to district officials. Serious trouble was only narrowly averted in Hardoi, Bara Banki, and other places, and finally in the first week of February, 1922, there occurred the tragedies at Chauri Chaura and Bareilly, which led to the suspension of civil disobedience. It was estimated that about 110,000 volunteers had been enrolled for the purpose of civil disobedience and it took the authorities some time to restore order and to suppress the criminal element which the movement had stirred into activity. About 2,200 volunteers were prosecuted. Mr. Gandhi's next move was to issue a constructive programme which included among other items the popularization of the spinning wheel and the manufacture of *khaddar*, the organization of national schools, raising of the depressed classes, the organization of a temperance campaign, and organization of *panchayats*. This failed to give new life to the movement. Mr. Gandhi himself was arrested on March 10, 1922, and the lack of excitement following his arrest afforded the clearest evidence of the change in the attitude of the masses. The situation rapidly improved under the influence of a favourable combination of circumstances. Crops were good, and the harvest season claimed the attention of the peasants, while, at the same time, prices began to fall. Government had enlisted about 2,000 auxiliary police after the tragedies of February, but they were able to disband this force by the end of the hot weather. Non-co-operation gradually died out, its ablest leaders abandoned it and turned their attention to municipal and legislative council elections. By January, 1923, the situation had so improved that Government withdrew the notification applying the Criminal Law Amendment Act to the province and granted an amnesty to one hundred and seven prisoners who had been convicted for offences connected with the non-co-operation movement.

Communal
tension.

68. In 1923 a new menace arose in the shape of ill-feeling between the two great religious communities. This began in an acute form with the organization in the Agra and neighbouring districts of the *shuddhi* movement directed by the *Arya Samaj* against a sub-caste of Rajputs who had been converted to Islam during the reign of Aurangzeb. This was followed by the *sangathan* movement and these were both believed by Muhammadans to be devices for consolidating the Hindus against them, with the result that the Muhammadans themselves started counter-movements (*tabligh* and *tanzim*) of their own. These movements were the outer manifestation of what was at bottom the beginning of a struggle for political power and place under the new constitution. Since 1923 the tension between the two communities has increased and has been a matter of grave concern to the Government. In the five years, 1923 to 1927, there were no fewer than eighty-eight communal riots in which thirty-nine Hindus and forty-two Muhammadans were killed and one thousand five hundred and sixty-six Hindus and seven hundred and thirty-five Muhammadans were wounded. The most serious riots were at Agra, Saharanpur and Shahjahanpur in 1923 at Allahabad and Lucknow in 1924, at Aligarh in 1925, at Allahabad and Lucknow in 1926 and at Bareilly, Cawnpore and Dehra Dun in 1927. In scores of other places serious disturbances have only with difficulty been averted. The smallest incident or the most trivial misunderstanding was sufficient to precipitate an outbreak. In 1924 a suggestion was made that both local and central conciliation boards should be appointed. This Government, however, was convinced that such boards would have no practical effect. Differences were so intense and so deep seated that they could not be exercised by methods which left untouched the underlying causes of the antagonism. Even the district was in their opinion too large an area for a single conciliation board, since, if local influence was to be brought to bear effectively, it would have to be that of the men of the moment in the city, the town, or even the village where the trouble manifested itself. In 1926 Government published in the English and Vernacular press a letter addressed to all commissioners and district magistrates in the province in which they expressed their anxiety regarding the effects of communal bitterness upon the social and political life of the province. "Apart from the loss of lives and property in actual rioting," they said the "ill-feeling between Hindus and Muhammadans has been the cause of serious loss to trade and commerce; and is at the present moment a cause of anxiety and discomfort to many harmless and peace-loving people. In

public life the effect is even more marked. Communal considerations now seem to be entering the minds and deflecting the attitude of public men on almost any issue of public importance. There is a possibility that they may become the dominant influence in the coming elections. But from the very inception of the present constitutional system it was pointed out and the moral has been enforced by a series of weighty utterances since—that so long as intense bitterness of communal feeling continues to infect public life there cannot possibly ensue any real advance in the direction of self-government. Representative institutions cannot prosper in a country in which sectarian rancours are rife and men have not learned to combine a due attachment to their own creed and practice with reasonable respect for those of others But it is still the case that there has so far been no general and concerted movement on the part of all those who are or should be the leaders of their communities; and until such a movement develops there seems small hope of any substantial and permanent improvement in the relations between Hindus and Muslims. Conferences have been held; resolutions have been passed; but the practical results have left much to be desired. It is the duty of every citizen who has the welfare of his country at heart to come forward fearlessly on the side of reason and toleration. The Governor in Council does not suppose that there is any real ground for doubt that the Government desire to see religious dissensions appeased, but in case any such doubt exists he earnestly appeals for efforts at conciliation now." The fact that communal riots were more numerous in 1927 than in any of the previous four years is eloquent proof of the fact that relations have deteriorated rather than improved since that letter was written.

69. The proposal that district officers should have councils to advise them on all important matters and to bring them into closer touch with the people is no new one. It was considered and rejected by the Decentralization Commission in 1909. It is, however, a proposal that comments itself to some politicians and it has twice been pressed on the notice of Government since 1921 by means of resolutions in the legislative council. The first of these resolutions was moved on October 26, 1922, and the officiating Finance Member at the time announced that Government had agreed that advisory councils should be appointed in a few districts, but had come to no conclusion as to how these councils should be constituted or what matters should be referred to them. He explained that there were great difficulties in deciding these matters and also indicated that the

**District
Advisory
Council.**

proposal was not without its danger. Government had taken no action in the matter before Sir William Marris became Governor and Sir Sam O'Doniell Finance Member. The Governor in Council as constituted in 1923 took a different view of the whole matter from the Government of Sir Harcourt Butler and they regarded it as of such constitutional importance that no local Government could decide it. They therefore laid their views before the Government of India in order to ascertain whether the Government of India and the Secretary of State agreed with them. The view which they took was that such councils if nominated would satisfy no one, would be merely an incumbrance, and would ultimately lead to a demand for elected bodies; and that elected councils would be constitutionally unsound. In their opinion election inevitably conferred a mandate and implied that the body to which it was applied would have more than advisory functions. These councils could therefore only result in obstructing the legitimate functions of the legislature and subjecting the district officers to the control of a new representative body which would confuse and embarrass him in the discharge of his duties. The Government of India expressed their agreement with the view taken by this Government and the matter was not pursued further. On January 29, 1924, however, it was again raised in the legislative council in a resolution asking Government to reconsider its attitude and to establish committees in every district which the district officer would be bound to consult. The legislative council did not approve of the resolution in this form but passed it in an amended form in which Government were asked to reconsider their attitude and to appoint a committee to report on the nature of the duties and the constitution of advisory councils after consulting district officers. Government opposed the resolution both in its original and its amended form and they have taken no action in regard to it.

Arrange-
ments for
officer on
tour.

70. Two questions which attracted some attention in the first legislative council were the abolition of coolie *utar* in Kumaun and the supply arrangements for officers on tour, generally known as the question of "*rasad and beqar*."

(1) Under their settlement agreements landholders in Kumaun are responsible for supplying coolie transport for the carriage of camp equipage for officials and travellers on tour and of heavy material for public purposes. This ancient obligation was known as *utar*. It was undoubtedly a form of impressed labour though the labour was invariably paid for and the landholder received consideration in a more lenient land revenue settlement. With the increase in travelling in the hills and particularly with the expansion of the activities

of the Forest department, the calls for labour became much more frequent and began to be a cause of resentment. This Government had already done a good deal to mitigate the hardship before 1921 and had indeed taken steps to effect a drastic reduction of *utar* with a view to its eventual abolition. On March 5, 1921, the legislative council adopted a resolution recommending the abolition of the system within a definite period. This strengthened the hands of Government and enabled them to obtain the funds necessary for establishing an alternative system of transport. *Utar* has been abolished and all mention of it will be omitted from the new settlement records of the Kumaun districts.

(2) As a result of the non-cooperation movement officers whose work involved touring in the districts found considerable difficulty in obtaining supplies during the cold weather of 1920-21. Early in the summer of 1921 this Government directed that in every district a committee composed of officials and non-officials should examine the existing rules regulating tours and make proposals for their amendment so as to remove as far as possible any grounds of hardship to those on whom the burden of providing supplies ordinarily fell. The reports of these committees were considered by a committee of officials and non-officials sitting at Government head-quarters later the same year and the latter made certain recommendations to Government. These recommendations were put to the test of experience and were only modified in so far as experience or expense showed modification to be desirable. Their main object was to reduce the period of touring of revenue officers (other than district officers) and to alter the system of obtaining carts and supplies on tour so as to relieve cart men, *baniyas*, and labourers from hardship. The legislative council showed some interest in this matter in December 1922 and Government published a note explaining the changes which had been introduced as a result of the committee's recommendations. The touring rules were revised in 1924 after the changes had been thoroughly tested by experience and nothing further has been heard of the matter.

71. Control of arms is a central subject, but the provincial Government administers the Indian Arm Act and the Indian Arms Rules within the province. The revision of the Arms Rules was taken up by the Government of India in 1919 and many changes were introduced with effect from 1920. In 1922 a committee composed of members of the central legislature, mostly non-officials, examined the rules and made proposals for their further revision many of which were given

**Arms Act
and Rules.**

effect to in 1924. Racial distinctions have been removed, the number of exemptees reduced, and the rules generally very greatly liberalized as a result of these revisions. The effect of the changes in the number of licenses for firearms in force in this province is striking. At the end of the year 1919 the number was 26,373. At the end of the year 1926 it was 73,929. The administration of these rules has throughout been a subject of considerable interest to members of the provincial legislature. No fewer than three hundred and forty questions relating to this subject were asked in the years 1921—1927 inclusive. A majority of the questions related to the refusal by district magistrates to issue licenses to particular individuals or to the cancellation of individual licenses. The implication in such questions generally is that the district magistrate has used his discretion in an arbitrary fashion or has been guided by political bias. As a concession to public feeling persons who are dissatisfied with the orders of the district magistrate in such matters now have a right of appeal to the commissioner and Government refuse to consider the cases of any aggrieved persons who have not exercised this right. Four resolutions on the subject of the Arms Rules have been moved in the legislative council. On February 15, 1921, the council adopted a resolution recommending the exemption from the Arms Rules of the ministers, the president and members of the legislative council, a large number of educational officers, and many others. On December 14, 1922, the council adopted a resolution recommending Government to cancel certain restrictions which had recently been imposed in certain areas in the United Provinces regarding the possession of swords, spears and daggers. The restrictions were imposed on account of the unsettled state of these areas as a result of the non-cooperation movement, and they were removed three months after the adoption of the resolution by the council. On March 22, 1923, a resolution was moved recommending that a small non-official committee should be appointed in each district to advise the district magistrate in regard to the grant of arms licenses. In the course of the debate Government admitted that they had issued orders of a stringent nature while the non-cooperation movement was at its height and intended to modify them considerably as circumstances had changed. The resolution was withdrawn. On January 30, 1925, the council adopted a very comprehensive resolution aimed at a further liberalization of the rules. The attitude of the more extreme members of the council is that every person has an inherent right to carry arms. There is, however, a considerable body of opinion

which recognizes that the unrestricted issue of arms licenses is not possible in this country, and that Government have gone a long way to remove the objections formerly urged against the arms rules. Complaints now are, as the council questions show, generally made in regard to individual cases.

72. It has for long been recognized that there is a considerable amount of corruption in the lower ranks of the public services in India and the legislative council has brought this matter to the notice of Government on two occasions. On July 29, 1921, there was a discussion on a resolution which asked Government to appoint a committee of the council to inquire into and report on the causes and remedies for the bribery evil in the province. The resolution was ultimately withdrawn as it was apparent that there was a considerable body of feeling in the council that the appointment of such a committee would not prove of any practical value. Government were fully alive to the existence of the evil and they addressed all heads of departments, commissioners and district officers in the matter on July 20, 1922, directing that all cases of alleged corruption should be most carefully sifted, and that where offences were proved exemplary punishment should be inflicted. Officers were at the same time asked to take definite steps to discover what opportunities existed for corruption among their subordinates and to endeavour to reduce these opportunities to the greatest possible extent. The matter was again raised in the legislative council on January 27, 1925. On that occasion the majority of the council were definitely in favour of the appointment of a committee to inquire into and report on the extent to which corruption was prevalent and an amendment which would have had the effect of leaving it to heads of departments to take action was defeated by 42 votes to 26. Government did not accept the recommendation to appoint a committee on the ground that the existence of the evil was known, and that, as experience in another province had shown, a committee would be able to obtain no direct or first hand evidence of cases of corruption. Action on other lines was, however, taken. Heads of departments, commissioners and district officers were first consulted and Government issued fresh instructions on July 2, 1926, in which they insisted on the need for more co-ordination and more sustained effort in the campaign against corruption. These instructions have already had considerable effect. The Chief Justice of the High Court at Allahabad has taken particular interest in this evil, and has been successful in ridding the public service of a considerable number of corrupt judicial officers and thereby raising the standard of probity in the judiciary.

**Corruption
in the public
services.**

Administra-
tive posts.

73. The legislature has shown a keen desire to abolish entirely or reduce the number of administrative posts in certain departments. The abolition or reduction of commissionerships has become almost a hardly annual in the council. It formed the subject of resolutions in 1922, 1923, 1925 and 1927, in addition to being the subject of one or more motions for reduction of the budget of the General Administration department each year since 1924. In the section dealing with the Police department reference is made to the constant effort to force Government to reduce the number of deputy inspector-generals of police. The same pressure has been brought to bear in the case of superintending engineers in the Public Works department, especially the Buildings and Roads branch. In the debate regarding the abolition of commissionerships on January 27, 1927, Sir Sam O'Donnell said "The issue which I think is involved is this. Can the supervision, guidance and control which are required be provided entirely by Government or by the head of the department, or is it necessary to have authorities intermediate between the Government and the man in direct executive charge? In a number of other departments there are intermediate authorities, e.g., deputy inspectors-general, superintending engineers and conservators of forests. The arguments which are directed against commissicners are *mutatis mutandis* or, at any rate, to a large extent, applicable to other intermediate posts also, and, in fact, those who are in favour of abolishing commissioners are in favour of abolishing those other intermediate posts also." The opinion of Government has been that such intermediate posts are necessary. The opinion of Mr. Chintamani, which is representative of the opinion of Indian politicians generally can be gathered from the following extract from his speech on the same occasion. "My opinion is that, so far as General Administration is concerned, not only is there no necessity for such intermediate agency but its existence is undesirable. I am of opinion that administrative efficiency has not been, speaking in general terms, promoted by the existence of that intermediate agency. Now, when the members of the Government have this legislative council to face they will find that the intermediate agency hampers more than it helps not merely in the departments for which these two honourable members are responsible, but also in those other departments known as transferred departments."

The Indian
Civil
Service.

74. The services which are most closely connected with General Administration and which do not belong to any one other single department are the Indian Civil Service and the United Provinces Civil Service (Executive Branch). It will

therefore be convenient to deal briefly with these services under this head. The I. C. S. has been far short of its full strength since the war years. On January 1, 1921, its actual strength was 219 against a sanctioned strength of 239. On January 1, 1928, the sanctioned strength had been reduced to 206, but the actual strength had also fallen to 183 so that the shortage was even greater than it had been in 1921. The introduction of the Reforms in 1921 practically synchronized with the orders fixing the percentage of Indian recruits at thirty-three rising by one and a half annually until it reached forty-eight. That percentage has been further increased as a result of the recommendations of the Lee Commission, and the sanctioned basis of direct recruitment is now forty-five Indians to fifty-five Europeans. Promotion from the U. P. C. S. to I. C. S. posts has also been increased, and the object is to make the cadre of the Indian Civil Service fifty per cent. Indian and fifty per cent. European in fifteen years from the date on which these changes took effect. The results up to date in this province are that whereas there were eighteen Indian members of the service on January 1, 1921, there were forty-two or twenty-three per cent. on January 1, 1928, exclusive of fourteen provincial service officers holding posts borne on the cadre of the I. C. S.

75. There was much despondency among the members of the Indian Civil Service during the years 1921 to 1923. The position has steadily improved since 1924, but even though recruitment has improved in the last two years and a good class of officer has been obtained, it still remains to be seen how far the service has regained its former position in the eyes of young Englishmen of ambition and ability looking for a career. Twenty-one officers have applied for permission to retire prematurely since 1921. Seventeen have actually retired: two have still to do so: the remaining two withdrew their applications. The number of premature retirements has therefore not been large. It would undoubtedly have been larger but for the extension of the date up to which such retirement remains open. At the same time a certain number of more senior officers have retired as soon as they have earned their full pension, who, it is, believed, would have continued in the service if conditions had remained more favourable.

Premature retirements.

76. The United Provinces Civil Service (Executive branch), is much the largest provincial service in the province. The service consists entirely of Indians or statutory natives of India. The cadre was increased to 406 early in

United Provinces Civil Service.

1921, but, owing to contraction in the Opium department and the creation of a cadre of its own by the Income-tax department, has since been reduced to 384. Recruitment to the service is partly direct and partly by promotion from the subordinate revenue service. In April, 1921, the legislative council adopted a resolution recommending that the principle of open competition be applied to direct recruitment for this service. Government accepted the resolution subject to the condition that the examination be of such form and subject to such restrictions as Government might prescribe. The competitive system was introduced in 1922, and in order to safeguard the interests of Muhammadans the proportion of recruitment has been fixed at two Muhammadans to four non-Muhammadans. This Service will ultimately be the source from which 20 per cent. of the executive posts on the I. C. S. cadre will be recruited. The number of such posts at present filled permanently by promoted officers is seven. One member of the service is acting as a commissioner, and two are heads of departments. The service as a whole is dissatisfied with the result of the recommendations of the Lee Commission and expected that the full number of posts ultimately open to it would be made open at once. There is also among members of the service a certain amount of jealousy of the Indian Civil Service owing to the feeling that there are in the United Provinces Civil Service many officers who are at least equal in ability to the Indian officers recruited to the Indian Civil Service in recent years. The service has a just sense of pride in its own achievements. It has shown perhaps a not unnatural tendency in the last few years to seek the sympathy and support of members of the legislature.

CHAPTER II.

REVENUE DEPARTMENT.

77. The most important questions dealt with in the Revenue department are those connected with the settlement and collection of land revenue, land records, relations between landholders and tenants, court of wards, loans to cultivators, control of the subordinate revenue services, all matters connected with rent and revenue litigation submitted by the Board of Revenue, the principle of land acquisition and the management of some Government estates. The work of this department since 1921 may conveniently be reviewed under the following heads :—

Work of the department.

- (1) transfer of control from the Board of Revenue to Government :
- (2) relations between landholders and tenants :
- (3) settlement policy and operations :
- (4) court of wards :
- (5) miscellaneous.

78. Prior to 1921 the Board of Revenue, in addition to being the final rent and revenue court of the province, was vested with important statutory powers of an executive nature in regard to land revenue administration and the court of wards, and was also in charge of such revenue producing departments as income-tax, stamps opium, and excise. It held a peculiar position of semi-independence of the Government. The transfer of the executive functions of the Board to Government was first considered in 1916, in connection with a proposal to give the Lieutenant-Governor an executive council. In 1920 the Government of India asked this Government to reconsider the matter in connection with the approaching constitutional changes and Sir Harcourt Butler recommended that Government should take over all the executive functions of the Board. The Government of India were opposed to action being taken until the reformed legislative council had had an opportunity of expressing its views. The council had this opportunity in February, 1921, and one of its first resolutions recommended the abolition of the Board of Revenue. The Governor, Sir Harcourt Butler, thereupon again addressed the Government of India in the matter with the result that the Secretary of State agreed to the transfer of all the Board's executive functions other than those exercised under the United Provinces Court of Wards Act. The

Transfer of control from the Board of Revenue to Government.

necessary legislation was passed in 1922. The Board still control the settlement of the land revenue and revenue buildings and the administration of all but a few government estates. Their functions in connection with all other branches of land revenue administration, including control of the subordinate revenue services, were transferred to Government. The Revenue department of Government has thus become much larger and more important since, 1921.

**Relations
between
landholders
and
tenants.
Oudh Rent
Act.**

79. The two Acts regulating the relations between landholders and tenants in force in 1921 were the Oudh Rent Act, 1886, and the Agra Tenancy Act, 1901. It had been recognized for a considerable time that the amendment of both Acts was more than due and indeed the amendment of the Agra Tenancy Act had been engaging the attention of Government for some time. Events, however, decreed that the Oudh Act should be the first to be amended. This Act had worked tolerably well in northern Oudh where the population is thin, but had broken down in the southern districts where the pressure on the soil is great and competition for land severe. Tenants had no security of tenure beyond a seven years period and on completion of that period had to pay very large premia in order to retain their holdings or else see them given to outsiders. Discontent among the tenants was widespread, and the non-cooperation propagandists soon succeeded in fanning the flames of discontent till a conflagration on a wide scale seemed imminent. The amendment of the Rent Act thus became one of the first important pieces of legislation undertaken by the reformed Government. The position of the Government was one of very great difficulty. The Oudh taluqdars are a very powerful and well organized body and they called to their aid a promise given by Government in 1866 that their tenants would never be given rights of occupancy. These same taluqdars with the aid of their brother landholders were able to command a majority in the legislative council and any legislation for the protection of the tenantry could only be passed with their consent. Neither the Secretary of State nor the Government of India appeared to appreciate the difficulty of this Government's position. The Secretary of State (Mr. Montagu) underestimated the effect of the Reforms when he said "I look the Legislative council to evolve a measure calculated to remove causes of agrarian unrest in Oudh and pay special regard to interest of those who are not or are only inadequately represented in council." The Government of India took much the same line and addressed this Government as though it commanded a majority in the legislature and could obtain such further

concessions for the tenants as it wished by the use of its majority. Their suggestion that the consideration of the bill by Select Committee should be postponed until further criticisms had been received from the Secretary of State showed their inability to understand the urgency of the measure and also, in the opinion of this Government as then constituted, the change in the relations between the Government of India and provincial Governments brought about by the Government of India Act, 1919. The bill introduced by Government was admittedly the result of a compromise with the Oudh taluqdars. It completely satisfied neither the progressive members of the council, mainly representing urban interests, who made themselves the upholders of the tenants' case, nor yet the taluqdars, who had the support of the landlords of the Agra province. The bill was fought clause by clause and it was only the mediation of Government and Sir Harcourt Butler's immense influence with the taluqdars which ultimately secured its passage with only one important change which the landholders carried against the combined vote of the Government and the rest of the legislative council. The Governor used his powers under sub-section (1) of section 81-A of the Government of India to return the bill to the council for the consideration of two amendments, but the council accepted both amendments, without demur. That the new Act is not completely satisfactory has become evident. Two of its provisions tend to nullify its efficacy as a measure to confer security of tenure on the tenants. Government were aware of the possible effects of these provisions before the bill became law but felt themselves powerless to alter them. Since then the advisability of attempting to pass an amending bill has been considered more than once but each time the idea has been dropped.

80. The agrarian situation in Agra never even approached the seriousness of the situation in Oudh in 1921. But the Act of 1901 had resulted in an evergrowing volume of harassing litigation in regard to the ejection of tenants to prevent the accrual of occupancy rights, while non-occupancy tenants had no stability of tenure and no guarantee of a fair rent. On the other hand, the landholders had a distinct grievance in their inability to obtain reasonable enhancements of occupancy rents. As early as 1916 Government had considered the question of altering the basis of tenancy and conferring stability of tenure on a large majority of tenants. They decided, however, that no radical revision of the law should be attempted, since, in the circumstances then existing, such a revision was impracticable. The constitutional changes

**Agra -
Tenancy
Act.**

introduced in 1921 altered the position. The landholders, it is true, held a majority in the legislature, but Government relied on them having sufficient political wisdom to see that the effects of a refusal to accept a reasonable measure of reform would probably be disastrous to their future political position. Government therefore decided to attempt legislation. The bill introduced in 1926 was designed to remove the main disabilities of the landholders on the one side and the tenants on the other. It had a peculiar history in legislative council and is of great importance from the constitutional point of view. The landholders still held a majority, if not such an effective one as in 1921. On this occasion, however, there was no agreement between them and the Government. They agreed to the introduction of the bill and to its reference to a Select Committee, but their assistance stopped there. Having failed in Select Committee and in negotiation with Government to obtain the approval of Government to the amendments which they desired, the landholders reluctantly turned to the *swarajists*, the avowed supporters of the tenantry, and made a pact with them for mutual support against the Government in making certain changes in the bill. It is not necessary here to describe in detail what these amendments were. It is sufficient to say that as a result of this agreement the legislative council amended the bill in regard to six provisions which the Government regarded as important. Three of these amendments favoured the landlords and three favoured the tenants. Government were unable to accept the bill as thus altered. They were prepared to acquiesce in two of the amendments, both of which favoured the tenants, but in their opinion the other four amendments were vital and would have destroyed the value of the bill. His Excellency the Governor, therefore, with reference to sub-section (1) of section 72E of the Government of India Act recommended to the council that it should adopt amendments restoring in these respects (and in one other matter of minor importance), the original provisions of the bill. The agreement between the landholders and the *swarajists* thereupon broke down. The acceptance by the Government of the two important amendments in favour of the tenants had removed the main reason for the *swarajist* compact with the landlords and that party was quite ready to abandon their former allies and by voting with the Government, to restore the original provisions suggested by the Governor. The bill was thus passed in a form substantially satisfactory to the Government but unacceptable to the landholders, who have now got a Tenancy Act which is distinctly less favourable to them than the bill

introduced by the Government. The Government of India took exception to the Governor making a recommendation with reference to sub-section (1) of section 72E of the Government of India Act without prior reference to them.

81. The joint Select Committee in paragraph 11 of their report on the Government of India Bill expressed the opinion "that the time has come to embody in the law the main principles by which the land revenue is determined, the methods of valuation, the pitch of assessment, the period of revision, the graduation of enhancement, and the other chief processes which touch the well-being of the revenue payers." Their report was published at a time when the landholders in this province were much exercised by the prospect of the re-settlement of a large number of districts. Anxious to postpone these operations as long as possible they seized on the opportunity given them by the Joint Committee's recommendation and with their substantial majority in the legislative council began by means of resolutions to press Government for concessions in regard to settlement policy. The whole history of settlement procedure in this province is a record of increasing lenience on the part of Government, and many of the more reasonable demands of the landholders had been met to a large extent. In recent settlements prior to 1921 a lower percentage of assets had been taken, more substantial allowance for proprietary cultivation had been given and swollen non-occupancy rents had been accepted with great caution. The initial demand in the legislative council was for a permanent settlement. That was modified to a demand for the extension of the settlement period from thirty to fifty or sixty years. Other claims were for a still lower percentage of assets and an extension of the period of current settlements, and for a postponement of all settlement operations until settlement procedure had been codified. In deference to the opinion of the Joint Select Committee and the attitude of the legislative council, the Government in 1922 appointed a committee to examine and report on the whole question of settlement policy. This committee reported in 1923 and thereafter a bill was prepared which embodied not merely the main principles of settlement policy but also a large mass of detail which had hitherto been regulated by rule. The bill was ready in 1923, but was not introduced until 1925 because the tenancy legislation for the province of Agra was pending and the Governor in Council felt that the best prospect of obtaining the consent of the legislature to that legislation in a satisfactory form was to take it up along with the settlement legislation. In the meantime the landlord majority in the legislature was not idle and brought

all possible pressure to bear on the Government in order to postpone the commencement of settlement operations. On March 8, 1923, an attempt to reject the demand for settlement operations was defeated without a division, but in the following year on March 17, 1924, the legislative council refused the whole demand for settlement and record operations by 56 votes to 18. Thereupon the Government stopped settlement operations in all districts in which they were in progress with the exception of one district in which they were nearing completion. Record operations, that is the revision of the land records, were not stopped on the ground that such revision was necessary whether settlement was to be undertaken or not, and the Governor certified the necessary supply for these operations. On February 27, 1925, the legislative council passed a resolution recommending the appointment of a committee to report on the necessity for further record operations, and on March 3, 1925, refused the whole demand for record operations, which the Governor again certified. A year later on March 27, 1926, the council again refused the demand. On March 30, 1926, the Land Revenue (Amendment) bill was referred to a select committee. The bill made very large concessions to the landholders, though it contained one clause which gave them real anxiety: but owing to the repercussions of the struggle over the Agra Tenancy Act, the landholders were in no conciliatory mood, and encouraged by the possession of a majority in the council and by the support of the *swaraj* party, they so amended the bill in committee that it emerged in a form unacceptable to Government. When the bill was taken into consideration in the council in August, 1926, Government were unable to effect the removal of the vitally objectionable features introduced in committee, which would have resulted in an ultimate annual loss of revenue amounting to a crore of rupees. The Governor made a recommendation to the council with reference to sub-section (1) of section 72E of the Government of India Act that two clauses of the bill should be passed in a different form. The council rejected the Governor's recommendation and the bill was dropped. A second bill was drafted. This differed from the previous one in being confined to the main principles of settlement operations. It was never introduced in the council because Government ascertained that it would not be acceptable to the landholders who were dissatisfied with the omission of many matters of detail which had been included in the previous bill. Settlement procedure is, therefore, still regulated by rule but the rules have been extensively altered and liberalized and all the concessions which had been embodied in the first bill

have been included in them. The most important concessions are—

- (i) the extension of the settlement period from thirty to forty years;
- (ii) the reduction of the normal percentage of assets to be taken from fifty to forty, and
- (iii) the limitation of the enhancement of the demand (save in exceptional cases) to one-third of the expiring revenue.

The legislative council had been given an opportunity to pass the bill codifying settlement procedure. They had failed to do so. Government felt no further obligation to postpone settlement operations and these were resumed in October, 1926. On March 29, 1927, the council, in order to show its dissatisfaction with Government, again refused all supply for settlement and recorded operations and the Governor was again compelled to use the power of the certificate. In the present year Government promised to consider the re-introduction of legislation and the council passed the settlement budget.

82. There are at present eight districts under settlement. Pressure has from time to time been brought to bear on Government to appoint Indians as settlement officers. Of the eight settlement officers three and of the seven assistant settlement officers four are at present Indians. A large step has, therefore, been taken to meet Indian claims in this matter. This has been facilitated by the large number of districts under settlement. Four posts of settlement officer are borne on the cadre of the I.C.S. Any posts in addition to these four can be filled from the provincial executive service. Of the seven Indian officers at present engaged in settlement work six are members of that service.

Indianization.

83. The Court of Wards is, as the name implies, the department of Government which manages the estates of landholders who are minors or have, for special reasons, defined by statute, been declared unfit to manage their own property. It forms an important part of the work of the Board of Revenue. The Government of Sir Harcourt Butler were of opinion that in the reformed constitution it would be anomalous to have this important function of Government discharged by the Board of Revenue and recommended that it should be administered by Government direct. Higher authority was not convinced of the advisability of the change and the matter was ultimately referred back to the Government of Sir William Marris which held that whatever reasons there had been for the transfer in Sir Harcourt Butler's time no longer existed,

Court of Wards.

The Court of Wards, therefore, still remains under the Board of Revenue. The legislature has shown considerable interest in its work by means of interpellations, resolutions and budget motions, and if this has led to no important changes in the system of administration it has certainly had a healthy influence on the general working of the department. Budget discussions have been useful in bringing to light those aspects of the Court of Wards administration which are most open to criticism. But the reformed legislature has also had an important indirect influence on Court of Wards administration by making it difficult for Government to amend the Court of Wards Act. That Act has for long been in need of amendment and an amending bill was drafted as long ago as 1921. This bill was, however, never introduced and in 1925 in deference to the wishes of the legislative council Government appointed a committee to consider and report on the amendment of the Act. The committee's report contained numerous detailed suggestions for amendment and also a proposal for a fundamental change in the constitution of the Court of Wards, namely, the replacement of the Board of Revenue by a body of seventeen persons mainly elected. Government were prepared to adopt many of the amendments suggested, but were advised that legislation to give effect to them could not satisfactorily take the form of an amending bill and that the existing Act should be repealed and a completely new bill should be passed. The introduction of such a bill would, however, have given the legislative council and opportunity to amend every clause and to include provisions which Government could not accept. It was obvious, for example, that there was every likelihood that an attempt would be made to include the fundamental change in the constitution of the Court of Wards proposed by the committee, and, further, that with the existing constitution and temper of the council such an attempt would be successful. For these reasons Government decided not to risk the bill being made unacceptable to them by the legislature. They have now referred the matter back to the Board of Revenue and asked them to select those changes which they consider of primary importance to make the Court of Wards a more effective guardian and trustee, with the idea that such changes may be made the subject of an amending bill. The history of Court of Wards administration since 1921 thus affords another good illustration of the weakness of the Governor in Council in the matter of legislation, and of the way in which his lack of majority may prevent legislation of a controversial nature from being placed on the statute-book.

Miscellaneous.

84. Land revenue administration touches the people more closely than any other activity of Government, and it is,

therefore, only natural that it should have occupied a very considerable amount of the time of the legislative council. In addition to the Oudh Rent (Amendment) Act, 1921, and the Agra Tenancy Act, 1926, the legislative council has passed twelve Acts dealing with rent or revenue matters. None of these Acts was a measure of much importance, and it is only necessary to mention them and to say that they were passed without difficulty. Thirty resolutions on matters controlled by the revenue department have been before the council. Eighteen of these were adopted and twelve withdrawn on assurances given by Government; no less than twelve of the resolutions dealt with some aspect of settlement policy. A glance at the statement appended to this note, which shows the subject-matter of the resolutions and the action taken on each, will show that the council has exercised an influence not only on the policy of the department but also on small matters of administrative detail. The reductions made in the departmental budget other than those already mentioned were few and of little importance.

REVENUE DEPARTMENT.

Acts of the local legislature passed since 1921 :—

- (1) The United Provinces Land Revenue (Amendment) Act, V of 1921.
- (2) The Oudh Rent (Amendment) Act, IV of 1921.
- (3) The United Provinces Land Revenue (Patwaris Amendment) Act, II of 1922.
- (4) The Bundelkhand Encumbered Estates (Amendment) Act III of 1922.
- (5) The Canning College Act, VII of 1922.
- (6) The United Provinces Board of Revenue Act, XII of 1922.
- (7) The Oudh Rent (Amendment) Act, I of 1923.
- (8) The United Provinces Land Revenue (Amendment) Act, IV of 1923.
- (9) The United Provinces Board of Revenue (Amendment) Act, I of 1924.
- (10) The Agra Estates (Amendment) Act, IV of 1924.
- (11) The United Provinces Board of Revenue (Second Amendment) Act, V of 1924.
- (12) The Agra Tenancy Act, III of 1926.
- (13) The Oudh Rent (Amendment) Act, V of 1926.
- (14) The United Provinces Land Revenue (Sir Amendment) Act, VI of 1926.
- (15) The Agra Province Zamindar's Association Contribution Act, II of 1927.

REVENUE DEPARTMENT.

Statement showing the action taken by Government on the resolutions adopted by the Legislative Council during 1921 to 1927 :—

Date.	Subject.	Action taken by Government.
1. April 6, 1921.	Patwaris to be liable to transfer.	Land Revenue (Patwaris Amendment) Act passed.
2. August 9, 1921.	Indian Managers for the Court of Wards.	Sent to the Board of Revenue for necessary action.
3. January 26, 1922.	Cancellation of recent increase in charges for partition.	Cannot be carried out for financial reasons.
4. December 13, 1922.	Extension of the term of settlements.	The settlements of which the operations commenced in October, 1926, are to be for 40 instead of 30 years.
5. December 13, 1922.	Educational test for honorary assistant collectors.	Instructions issued to Commissioners.
6. January 28, 1924.	Codification of the principles of land revenue assessment and settlement.	Government introduced a bill for the purpose in the council, in 1926, but council declined to pass the bill in a form which Government could accept; Government therefore dropped it; they have embodied the principles of the bill in the new settlement rules.
7. February 28, 1924.	Discontinuance of settlement operations.	Settlement operations were stopped except in Muttra till the council had an opportunity of passing a codifying Act. When the bill was dropped in 1926 settlements were resumed.
8. September 9, 1924.	Allotment of funds from the Famine Insurance Fund for encouragement of cottage industries.	Under the statutory rules Famine Insurance Fund cannot be used for the purpose. Hence no action taken.
9. December 15, 1924.	Postponement of fresh settlement operations.	See no. 7 above.

Date.	Subject.	Action taken by Government
10. February 27, 1925.	Appointment of a committee to inquire into and report on the necessity of incurring further expenditure on record operations in the province.	No action taken.
11. March 2, 1925.	Appointment of a committee to consider and report whether any amendments are required in the Court of Wards Act.	A committee was appointed and reported, Government were unable to accept its main recommendation, altering the constitution of the Court of Wards; the other proposals are being examined.
12. December 23, 1925.	Issue of instructions to all record and settlement officers to the effect that they should not force or ask the zamindars to pay for the coolies employed by the amins for doing survey work or to supply such coolies at their own expense.	Orders have been issued on the lines recommended.
13. January 20, 1926.	Setting apart a few days in the week or a few hours by sub-divisional officers for disposal of rent and revenue cases exclusively.	Board of Revenue asked to call the attention of commissioners and issue necessary instructions.
14. January 26, 1927.	Increasing <i>kans</i> area in Bundelkhand.	Government have sanctioned a scheme of experiments in Bundelkhand with the object of eradicating <i>kans</i> .
15. November 3, 1927.	Revenue agents practising in Agra province may be permitted to practise in the districts of Oudh.	Copy of resolution sent to the chief court.
16. June 30, 1927.	Issue of direction to all collectors, etc., regarding award of compensation in land acquisition cases.	Government have obtained opinions of local officers and the matter is under consideration.

REVENUE DEPARTMENT.

Statement showing the action taken by Government on the resolutions withdrawn on an assurance from Government during 1921 to 1927 :—

Date.	Subject.	Action taken by Government.
1. February 15, 1921.	Abolition of the Board of Revenue.	Executive functions transferred by Board of Revenue Act.
2. February 21, 1921.	Provision of benches in courts for litigants.	Necessary funds could not be provided.
3. March 4, 1921.	Presentation of appeals to the Board of Revenue.	Rules amended.
4. April 5, 1921.	Revision of the Court of Wards Act.	Position explained in debate on Land Revenue demand.
5. January 31, 1922.	Revision of Fatehpur settlement.	Commissioner was directed to make enquiry and a copy of his report was sent to mover for information.
6. January 31, 1922.	Policy of Government in revenue settlements.	Government introduced the Land Revenue Amendment Bill in 1926.
7. March 1, 1922.	Introduction of permanent or long-term settlement.	The term of the new settlements commenced in 1926 will be for 40 years.
8. January 30, 1923.	Amendment of the Oudh Settled Estates Act.	United Provinces Estates Act passed.
9. February 1, 1923.	Amendment of the Land Revenue Act.	Act amended by Amendment Act IV of 1923.
10. January 28, 1924.	Extension of the term of settlements.	The term of the new settlements commenced in 1926 will be for 40 years.
11. January 28, 1924.	Certain recommendations of the Settlement Committee.	Government introduced the Land Revenue Amendment Bill in 1926.
12. January 30, 1924.	Short-term settlement in Bundelkhand.	Government introduced the Land Revenue Amendment Bill in 1926.
13. November 2, 1927.	Assessment to revenue of income derived from miscellaneous customary dues such as <i>bhusa</i> , <i>karwi</i> , <i>payal</i> , and the like.	The Board of Revenue have been asked to exclude the income derived from this source from assessment in the present settlement.

CHAPTER III.

FINANCE DEPARTMENT.

85. The period since 1921 has been one of great difficulty. The principal reason for this has been the Meston settlement, and some further reference to that settlement is necessary as an introduction to an account of the financial history of the post-reform period. The Committee on Financial Relations calculated the normal income of the province under the reforms at 1,190 lakhs and by deducting from that figure (1) the normal pre-reform revenue of the province and (2) expenditure which had in pre-reform days been imperial but would become provincial, they arrived at the figures of 397 lakhs which they called the increased spending power of the province; and it was on that figure that they based the contribution of 240 lakhs. They ignored all expenditure except such as was to be transferred from imperial to provincial. Such a method of calculation could give the true increased spending power only if post-reform normal expenditure was likely to be roughly equal to pre-reform. But that obviously was not the case. Owing to the change in the constitution of the executive government and of the legislature, expenditure was bound to rise considerably. Apart altogether from such increased expenditure, in this province expenditure increased very largely between the *datum* year and the introduction of the reforms owing to necessary increases in the pay of all grades of Government servants. In 1919 the Conference of Financial Representatives had calculated the normal expenditure of this province at 828 lakhs, which would have given an increased spending power of 362 lakhs. But the actual expenditure in 1920-21 was not less than 134 lakhs higher, namely, 962 lakhs, which reduced the increased spending power to 228 lakhs. Even this last figure should be reduced by a further 40 lakhs for purposes of comparison, on account of the difference between actual expenditure on protective irrigation and famine relief in that year and the normal provision to be provided in post-reform years, and also on account of the additional expenditure which the province would have to bear on account of leave salaries in England. The true increased spending power thus became further reduced to 188 lakhs. There were, however, fortunately errors on the other side and experience has shown that the Committee under-estimated revenue by about 63 lakhs. The actual increased spending power was thus about 251 lakhs and the balance remaining for development after payment of the huge contribution of 240 lakhs

A period of
difficulty.

was 11 instead of 157 lakhs as estimated by the Committee. Had this been realised at the time there can be little doubt that the contribution would have been fixed at a much lower figure. This failure to recognize the real position has been the principal cause of the province's difficulties.

**Optimism of
1921-22.**

86. The year 1920-21 had been remarkably favourable. If those miscellaneous adjustments between the central and the provincial Governments, which were a marked feature of pre-reform finance, be excluded, the revenue of the year was 1,272 lakhs—a higher figure than in any subsequent year, and which has been approached only twice. In spite of the heavy expenditure of that year the province opened its career under the reforms with a balance of nearly 89 lakhs. There was at the time no reason to anticipate that the results of the year 1921-22 would not be equally favourable, and the revenue budget was framed at 1,331 lakhs. Government accordingly provided in the budget or in supplementary estimates for new expenditure to the amount of 151 lakhs. Of this approximately 53 lakhs went to the reserved departments, 67 to the transferred and 30 to debt charges. The additional debt charges were due to the flotation of the United Provinces Development Loan. Unfortunately, however, the results of this year were exceedingly disappointing. The net revenue received was only 1,241 lakhs, or 90 lakhs below the estimate—a lower figure than in any subsequent year except 1924-25. Of this loss, Excise was responsible for 62 lakhs and Forests for 24 lakhs. The loss in Excise was due partly to increase in the rates of duty which had been decided during the previous year and came into operation from April 1, 1921, partly to the efforts of non-co-operation, and has never been recovered. The deficit on the year's working was 148 lakhs; allowing for the opening balance, the deficit was 59 lakhs. There is no doubt that, next only to the contribution, the fall in Excise revenue and the heavy expenditure of this, the first year of the Reforms, are the main causes of subsequent financial difficulties.

**Retrenchment and
taxation.**

87. The next two years were years of retrenchment. Expenditure dropped in this period by a total of 98 lakhs, to which the reserved departments contributed 61 lakhs and the transferred 35 lakhs. Yet, in spite of this, revenue failed to cover expenditure. In 1922-23 there was a further drop of some 8 lakhs under Excise. The income of the year was only some 7 lakhs better than in 1921-22 and the deficit on the year's working was 65 lakhs. In 1923-24 additional taxation was imposed in the shape of an enhancement of stamp duties and a tax on motor vehicles. This was estimated to bring in

65½ lakhs, but the legislature so altered the proposals that they brought in only 22 lakhs. Irrigation rates were also increased in the same year. The increase was estimated to produce 22 lakhs and actually yielded 21 lakhs that year. (Owing to a subsequent decrease in the rate for sugar the estimated yield was reduced to 17 lakhs, but owing to a series of wet years the amount actually realised has only averaged 13½ lakhs.) In spite of the fact that with these additions revenue reached the highest figure so far recorded during the period of the Reforms (1,271 lakhs) there was still a deficit on the year's working of nineteen lakhs. The total deficit since 1921 stood at the end of this period at nearly 144 lakhs.

88. In 1924-25 Government sought to re-enact the taxation Acts passed the previous year and also to impose a tax on amusements, but the legislature only passed one of the two Stamp Acts. In September, 1924, there was very heavy rain for three or four days, which caused heavy floods and great loss of property. The result on the finances of the province was serious. Revenue dropped to the lowest figure so far recorded, namely, 1,219 lakhs, or 52 lakhs below the previous year. To this loss land revenue, as the result of remissions and suspensions, contributed 21 lakhs, and irrigation revenue nearly 32 lakhs. Though the expenditure of the year was practically the same as in the previous year yet the deficit on the year's working amounted to 52 lakhs, whilst the total deficit since the reforms rose to 194 lakhs. Even these results were only made possible by a diversion of some 52 lakhs from the Famine Insurance Fund.

**Damage by
floods in
1924-25.**

89. During the next two years the financial position was, to some extent, eased by two successive remissions of the contribution, which amounted to 56 lakhs in the first year and to 89 lakhs in the second year. Expenditure, after a small rise of 10 lakhs in 1925-26, dropped back in 1926-27 to a figure slightly below that of 1923-24; but the distribution was considerably altered, for the remission enabled an additional 28 lakhs to be provided for the reserved and an additional 60 lakhs for the transferred departments. Revenue, like expenditure, was in 1926-27 slightly below the figure of 1923-24. For once, revenue slightly exceeded expenditure; though, in these years also, this only became possible by a diversion from the Famine Insurance Fund to the extent of 116 lakhs in the two years taken together. The net deficit since the commencement of the reforms stood at the end of 1925-26 at 224 lakhs—the highest that it has been.

**Partial
remissions
of the
contribution,
1925-26 and
1926-27.**

Complete remission of the contribution 1927-28 and 1928-29.

90. In 1927-28 the remainder of the contribution was remitted, though in respect of 51 lakhs that remission was non-recurring; in 1928-29 the non-recurring remission of the former year became permanent. As a result expenditure during 1927-28 fell by 119 lakhs. Yet in spite of this, there was an increase of 15 lakhs in the transferred departments. The revenue of the year, though not as high as in 1926-27, was still relatively high. Finally, for the first time since 1921-22, the year's working resulted in a surplus of no less than 112 lakhs and the deficit, since the commencement of the reforms, was reduced by more than half to 107 lakhs. In 1928-29 expenditure is expected to rise by some 34 lakhs, whilst revenue has been estimated cautiously at 10 lakhs below the figure of 1927-28. In spite of this, there is an estimated surplus of 38 lakhs, whilst the deficit since the commencement of the reforms has been reduced to the manageable figure of 69 lakhs.

Summary of revenue and expenditure

91. The progress of revenue and expenditure can be summarized thus. Revenue in 1921-22 was 1,240 lakhs: in 1928-29 it is estimated at 1,252 lakhs, an advance of 12 lakhs. Both figures, however, are below the average of the whole period, which is 1,261 lakhs (inclusive of diversions from the famine insurance fund). Expenditure in 1921-22 was 1,388 lakhs, and in 1928-29 it is estimated at 1,214 lakhs, a decrease of 174 lakhs; if allowance be made for the contribution of 240 lakhs, now remitted, there has been a real increase of expenditure of 66 lakhs. Average expenditure has been 1,282 lakhs, or 21 lakhs above average revenue. Total revenue, inclusive of the opening balance of 89 lakhs, amounts to 10,191 lakhs, total expenditure to 10,260 lakhs: the final deficit is, therefore, 69 lakhs round.

Debts incurred.

92. With the Reforms the province took over debt to the amount of 1,516 lakhs, of which slightly over 296 lakhs were in the old provincial loan account and just over 1,219 lakhs were irrigation debt. Of the latter sum 250 lakhs were on account of unproductive canals, and this Government has, as already mentioned, more than once protested against being saddled with this debt. Since 1921 the province has borrowed 1,454 lakhs made up as follows:—

	Lakhs.
(1) United Provinces Developments Loan	420
(2) Irrigation Loan	685
(3) Miscellaneous loans for road construction, police build- ings, etc.	204
(4) Flood damage loan	49
(5) Local bodies advances loans	61
(6) Other loans	35
Total	<u>1,454</u>

The total debt contracted since 1921 thus amounts to 2,970 lakhs.

93. Debt to the amount of about 280 lakhs has in the same period been liquidated. The provincial loan account has been reduced to 96 lakhs by the repayment of over 200 lakhs. The sinking fund of the development loan will in the current year amount to over 75 lakhs, and half-a-lakh has already been repaid to subscribers. Post-reform irrigation debt is being repaid by equated instalments of principal and interest, by which the payments of principal will progressively increase and those of interest decrease. Up to date over 3 lakhs of principal have been repaid. The outstanding debt in the current year thus amounts to 2,690 lakhs.

Repayment
of debt.

94. The rates of interest on the various loans vary from $3\frac{1}{2}$ per cent. on the pre-reform irrigation debt to $6\frac{1}{4}$ per cent. on some of the recent unproductive debt. The amount required to meet the debt charges rose from 83 lakhs in 1921-22 to 167 lakhs in 1927-28 and in the current year will be 175 lakhs. The amount will begin to fall in the year 1931-32 with the conversion of the Development Loan and will be further substantially reduced in 1932-33 with the final liquidation of the old provincial loan account.

Debt
charges.

95. No account of the financial history of the post-reform period would be complete without some reference to the Famine Insurance Fund. Under schedule IV of the Devolution Rules this Government is required to provide a sum of 39.60 lakhs for expenditure on relief of and insurance against famine. This assignment may be used "for the relief of famine or the construction of protective irrigation works or other works for prevention of famine." Any amount not expended is transferred to the fund, the balance in which may be used for loans to cultivators and other relief purposes. When the balance in the fund reaches 237.60 lakhs the assignment may be suspended. The amount of the assignment was based on the average expenditure on (1) protective irrigation works and (2) famine relief over a period of years. It has, however, proved out of proportion to the actual present-day requirements of the province, though this Government agreed to the amount when it was fixed. During the seventeen years ending in 1928-29, in which period there were two famines, the actual expenditure on protective irrigation has been 114 lakhs against a statutory provision of 245 lakhs, and on famine relief 94 lakhs against a statutory provision of 428 lakhs. By the end of 1923-24 the balance of the fund already stood at over 90 lakhs and on looking into the position this Government

Famine
Insurance
Fund.

realised that by 1927-28 they would have a reserve of over 237 lakhs, of which they were never likely to require more than one-fourth. They then made a protest to the Government of India. That proved unsuccessful and, in view of the serious financial situation of the province, they decided to debit to the fund interest on loans for canal works which could be regarded as partly or wholly protective. Since the year 1924-25 this Government has devoted nearly 237 lakhs to this purpose, thereby affording relief to the general revenues and avoiding the accumulation of a reserve fund far in excess of actual needs. This course was only possible, in the face of audit objections, owing to the rule which leaves to the Governor the final decision as to whether the purpose for which the money is expended is one of the purposes specified in the rules. The balance in the fund at the close of the current year will be 20 lakhs. The Government of India have recently proposed a revision of the rules the effect of which will, if accepted, be to permit no expenditure from the fund except for famine relief and to reduce the annual assignment in the case of this province to 16 lakhs with a maximum balance of 55 lakhs, amounts which are much more reasonable than those at present prescribed.

The old system of accounts and audit

96. The system of accounts and audit which prevailed in this province till April 1, 1926, may be briefly described as follows :—

(1) All bills against Government were presented for payment at the local treasuries, and, after much the same scrutiny as a bank cashier would apply to a cheque presented to him, were paid.

(2) The expenditure incurred on such bills and also all receipts were brought into the treasury accounts, extracts of which were sent monthly to the head accounts office under the accountant-general. The accountant-general and his entire staff were subordinate to the central Government.

(3) Similarly the paid bills were sent in batches twice a month to the accountant-general's office, where they were examined, post-audited, and passed into the departmental and provincial accounts.

(4) The accountant-general was responsible for preparing revised estimates of receipts and expenditure on the basis of the actual accounts, and also for examining the budget estimates received from the departments, also on the same basis. He then sent both to the finance department for further examination and final approval.

(5) The estimates, once passed by the finance department, were returned to the accountant-general, who compiled the provincial detailed estimates for presentation to the council.

97. The old system of accounts and audit had many defects. Defects of
the system.

(1) A creditor of Government who had received his dues from a treasury was always liable to receive a retrenchment order from the accountant-general, as the result of some error discovered in auditing his bill. This put such creditors to great inconvenience, and occasionally to some loss.

(2) The system of sending bills in batches to a head office where they were checked, classified, and audited before they passed into the accounts caused great delay in the preparation of the latter; in fact, the accounts of a month were seldom ready till at least two months later. This made it almost impossible for the heads of departments to control their expenditure, for it always took them two months to find out how the expenditure against their grants actually stood. A further result was that towards the end of the year they were very chary in spending, and consequently unnecessarily large sums lapsed every year.

(3) It is a commonplace that audit should be entirely independent of the authority whose accounts are being audited. Under this system the officer who audited the accounts was actually the officer who was responsible for preparing them, so that audit was no more than an internal check.

(4) Accounting, except for occasional errors, was on the whole fairly accurate. Audit, on the other hand, was certainly unsatisfactory. That was inevitable, since the only evidence of audit was a tick mark with a green pencil affixed by the very clerk who had handled that particular voucher and brought it to account.

(5) The accountant-general had no knowledge of the working and the needs of any of the departments whose revised and budget estimates he prepared. As a result his estimates were purely mechanical, based on figures alone, and bore no relation to facts that contradicted the figures. Theoretically, the finance department was supposed to modify his estimates to accord with the facts. Actually they, too, were mainly guided, and in fact somewhat obsessed, by previous figures.

(6) Close budgetting was very difficult. The departments, just because close control of expenditure was impossible, were apt to allow a margin in their demands. And as the finance

department had no better knowledge of the progress of expenditure than the controlling officers themselves, they were compelled to put up with this undesirable method.

(7) Lastly, since the accountant-general was an officer under the central Government, the provincial Government had absolutely no control over their accounts.

The system
changed.

98. In 1923 the Government of India made a proposal to separate accounts from audit altogether, maintaining the latter as a central subject, and putting the provincial accounts in charge of the provincial Governments. The Government of this province had often found occasion, in the council and elsewhere, to complain of the defects of the old system; and in response to the Government of India's proposals submitted the outline of a scheme of separation to the first annual conference of Finance Members in 1923. This scheme was fully examined by the audit and finance authorities of the Government of India, and, after a period of experiment in two departments, was brought into force in the United Provinces for all departments with effect from April 1, 1926.

Principal
features of
new system.

99. The principal features of this new system are as follows :—

(1) To each department is attached a pay and accounts office, the head of which is known as pay and accounts officer. He is a gazetted Government servant of the status of an assistant accounts officer in the Indian Audit and Accounts department. The larger departments (Public Works department, Land Revenue, General Administration, Administration of Justice, Education and Police) have each an accounts office and officer of its own; the smaller departments, arranged in convenient groups, share such an office and officer.

(2) These offices are located where possible in the office of the head of the department, or at all events in the same place and in convenient proximity to him.

(3) Bills against the various departments are no longer presented at the treasury but sent to the pay and accounts officer concerned. He pre-audits the bill and then pays it by cheque, subsequently passing the charge into the departmental accounts which he compiles.

(4) Provincial accounts are maintained in a central accounts office which is under the immediate charge of a deputy chief accounting officer of the status of a first class officer of the Indian Audit and Accounts department, and in superior charge of the chief accounting officer, who is the finance secretary. This officer also deals with various accounts that cannot

be easily departmentalized : for instance, loans and advances, exchange accounts, etc. The deputy chief accounting officer further acts as pay and accounts officer for the forest department.

(5) The pay and accounts officers prepare the revised and budget estimates in the same way and on much the same lines as the former accountant-general. They subsequently send them to the finance department, which examines and passes them and subsequently prints the detailed estimates.

(6) To each accounts office is attached an audit section, the duty of which is to examine its accounts. These audit sections are under a central officer, namely the director of audit. He also has staff sufficient to send out into the districts to inspect accounts there. Bills are no longer examined at the treasuries, which have become merely counters where moneys are actually paid or received.

100. The new system has many advantages.

(1) A creditor of Government now receives payment of his dues, if anything, rather earlier than he did under the old system; whilst he knows that the payment once received is final, since it will not be made until the claim has been fully audited.

(2) The bill when pre-audited at once passes into the accounts. The result is that the departmental accounts, instead of being two months late, are ready within a fortnight at most of the end of the month to which they refer; with the result that the heads of departments do not experience any difficulty in ascertaining the progress of their expenditure and in controlling it. Similarly, an abstract of the provincial accounts reaches the Government within three weeks of the end of the month to which it refers.

(3) Audit is now entirely independent of accounts. Further, inasmuch as the accounting staff is an expert staff, the amount of routine work that devolves on audit has greatly diminished, and the audit staff ought to be able to devote itself to more important inquiries and investigations.

(4) The pay and accounts officer, being attached to a single department, is conversant with its needs and difficulties, and prepares his budget and revised estimates accordingly.

(5) Controlling officers, having their accounts officers at hand to keep them aware of the progress of expenditure, can spend much more freely and fully than of old and are no longer tempted to leave margins. The result is that budgeting is becoming much more close and lapses much less large or frequent.

Advantages
as compared
with the
old scheme

(6) Finally, Government are now completely responsible for the maintenance of their own accounts.

**Success of
system.**

101. The system is still, theoretically, in an experimental stage. There is no doubt that in this province it has proved a success, and has justified all expectations. As an example, it may be mentioned that the savings on the grants of 1926-27, being the first year of its existence, was only one and a half per cent.; they had never been less than three or four per cent. in previous years and had generally been very much higher. The pay and accounts officers have also been responsible for discovering and correcting a large number of old misclassifications, to the considerable profit of the province; and are still pursuing further investigations of the same character.

CHAPTER IV.

IRRIGATION DEPARTMENT.

102. The Irrigation branch of the Public Works department is administered by two chief engineers under the Finance Member of the Governor's executive council. The senior chief engineer is a secretary, and the junior a joint secretary to the Local Government. One chief engineer is in charge of the Sarda Canal construction, the other is in charge of the open canals. The open canal system at present consists of over 11,000 miles of main channels, branches and distributaries, commands an area of over nineteen million acres, and in normal years irrigates about three million acres. The department yields a substantial revenue to Government, but its greatest value lies in the protection that its works afford against famine.

Existing canal system.

103. Since 1921 apart from running the extensive system of open canals, the department has been mainly occupied with the construction of the Sarda canal. This great project was begun in 1919, but out of a total expenditure up to date of over 706 lakhs only about 20 lakhs were spent before March, 1921. When completed the Sarda canal system will consist of 4,000 miles of main channels and distributaries and 1,800 miles of drains and will be the longest canal system in the world. It will command an area of over seven million acres and when fully developed will irrigate about one and a half million acres and thus increase by about fifty per cent. the irrigated area of the province. The work has so far advanced that the chief engineer hopes that it will be possible to open the canal in the upper reaches for irrigation before the close of the present year. The whole work will be completed by March, 1930, if working conditions between now and then prove favourable. The construction has been financed by loans and the total expenditure is expected to amount to 950 lakhs. Government expect that after paying all working expenses, but excluding interest charges, they will receive a return of about 7 per cent. on this expenditure.

The Sarda canal.

104. Some new schemes for the development of hydro-electric power from canal falls are at present under consideration. Two schemes have been approved : one to supply power to the town of Khurja in the Bulandshahr district and also to pump water from a small river known as the Kali Nadi into the main Ganges canal. The estimated cost of this scheme is 8.60 lakhs and the estimated revenue 1.13

Other new schemes.

lakhs. The other scheme is to supply power to Meerut in the first instance and later to two other towns in the Meerut district and two in the Bulandshahr district at an estimated cost for supply to Meerut of 6.77 lakhs and an estimated revenue of 1.51 lakhs. A third large scheme is being investigated at present, namely to harness the whole of the power available at a fall in the Saharanpur district in order to provide electric power for the towns of Moradabad, Bijnor and Najibabad, and in addition to pump water from the Ramganga river to irrigate a large area in the Moradabad district.

Effect of the Reforms.

105. Probably no department has been less affected by the Reforms. The work of the irrigation officer is carried out in the depths of the country, far removed from centres of political activity; it is seldom brought into the lime-light but the people know it and appreciate it. The work goes on much as of yore and neither the change in the constitution of Government nor the reformed legislative council can be said either to have hindered or to have aided it. In order to keep themselves in closer touch with the people in irrigation matters, Government established an Irrigation Board in 1921. The Board consists of a president and three members nominated by Government, four members elected by the legislative council, and the director of agriculture *ex-officio*. The Board is authorized to consider not only matters referred to it by Government but also any matters which members, with the permission of the president, bring before it. It attracted considerable interest at the outset and held three meetings in both 1921 and 1922; thereafter interest waned and only one meeting was held in 1923, 1925, and 1926 and none in 1924 or 1927. The Board has discussed a large number of suggestions and has served a useful purpose.

Financial conditions.

106. Construction work has been financed by means of loans and has therefore not been affected by the shortage of money. It has been different with the administration of the open canals. During the war expenditure was reduced to a minimum and all work that was not of an urgent nature was postponed. There were, therefore, heavy arrears of work to be overtaken after the war and a great deal was still waiting to be done in 1921. Owing, however, to the prevailing lack of money the department, instead of receiving additional funds for expenditure charged to revenue, actually received a steadily decreasing amount up to the financial year 1925-26. Owing to the remission of the contribution to the Government of India provincial finances have been easier since then, and in consequence the department received increased allotments in 1926-

27 and again in 1927-28, which have enabled it to overtake a certain amount of the accumulated arrears of work. It is one of the few reserved departments that does not complain that it has not had its fair share of such money as has been available for expenditure. The statement on pages 120-21 shows the revenue and expenditure, of the department from the year 1915-16 onwards, but it is very difficult to draw any conclusions from these figures. The years 1915 to 1920 were years when owing to the war a minimum of expenditure was being incurred and prices were still low compared with the post-war period. Work on the Sarda canal was begun in 1920, and there has been very heavy capital expenditure since then, prices have risen by nearly fifty per cent., and the pay of all classes of establishment has had to be increased. The increase of irrigation rates on the other hand has been very moderate and in no way proportionate to the increased expenditure on maintenance. Furthermore the years 1923 and 1924 were wet years and in consequence the revenue realized in 1924 and 1925 was low. All these factors have to be taken into account when estimating the results of the department's operations. Even so, if the capital expenditure on works be excluded, it will be seen that receipts exceeded expenditure on an average by 68 lakhs in the period 1915 to 1920 and by 66 lakhs in the period 1921 to 1927. In the latter period, however, there has been heavy expenditure on establishment connected with the Sarda canal which is not shown in the statement as charged to capital and if that were excluded from the expenditure side the surplus in the later period would be found to exceed that in the earlier period. In a few years the Sarda canal will have been completed, capital expenditure will be reduced, and when the canal is fully developed it should bring in a revenue of 67 lakhs per annum.

107. The chief engineer, like other heads of departments, complains that audit control has been tightened at the expense of efficiency. He recognizes that financial irregularities have been reduced to a minimum, but as against that executive officers have been hindered in their work, the execution of works has been delayed, expenditure on office staff has been increased, office hours have been lengthened and, most important of all, officers have been kept from their primary duty, namely, supervision of their works. He is convinced that Government have not benefited financially by the elimination of irregularities (which in ninety-nine cases out of a hundred were purely technical) at a great expenditure of money and a time which could usefully have been spent on the canals instead of in office.

**Audit
control.**

**Attitude
of the
legislature.**

108. There is a very general recognition of the value of the work of the Irrigation department. This no doubt accounts for the favourable attitude of the legislative council towards the department. Criticism has not been lacking but it has for the most part been fair and reasonable and also in some cases constructive. The first council showed very considerable interest in the activities of the department and it was responsible for six out of the seven resolutions relating to irrigation which have been moved since 1921. On August 8, 1921, the council discussed two resolutions, one relating to the rules for the preparation of fields for irrigation, the other to the rates charged for the initial watering to prepare fields for sowing. In deference to the views of the Council, the rules for the preparation of fields were abolished and the rates for the initial watering were lowered. On February 2, 1921, a resolution recommending the lowering of irrigation rates was adopted by the council, and although the Government had opposed the resolution and were defeated in the division they later made some alterations in the rates in the direction desired by the Council. Late in 1922 Government decided to increase the rates with effect from April 1, 1923, partly because they were very short of money and partly because they considered it reasonable to increase the rates so that they should bear some proportion of the increased expenditure on maintenance. This decision was extremely unpopular with the legislative council, partly because the members considered the existing rates a sufficient burden on the agricultural classes, and partly because they considered these rates to be a form of taxation and they were opposed to any increase in them without the previous approval of the legislature. On February 2, 1923, the council expressed its disapproval of Government's action by passing a resolution condemning any further increase in rates, and a few weeks later, on February 27, the council discussed a further resolution recommending that legislation should be introduced to require the previous sanction of the legislature to any revision of these rates. In support of this latter resolution one member cited the view of the Joint Select Committee on the Government of India bill that the imposition of new burdens should be gradually brought more within the purview of the legislature. Government refused to admit that these rates were a form of taxation rather than payment for value received, but at the same time intimated that they were not opposed to legislation to bring the rates within the purview of the legislature and proposed to appoint a committee to examine the best means of effecting this purpose. Another

resolution urging the necessity of early legislation was adopted by the council on February 28, 1924. Government had appointed a committee in the previous June, and that committee by a majority recommended that the rates should be statutorily related to prices since variation in prices had been the basis of changes in the rates in the past. Government accepted this recommendation and drafted a bill to make the necessary amendments in the Northern India Canal and Drainage Act 1873. It is of interest to note that the Indian Taxation Committee later endorsed the committee's recommendation and the principle of the Government bill. The bill was introduced into the legislative council on March 30, 1925, and referred to a select committee. The report of the select committee showed such a wide divergence of opinion and so much opposition to the main principle of the bill that Government, seeing that it would be impossible to get the bill passed in a form satisfactory to them, decided to drop it altogether. This decision was severely criticised during the discussion of the department's budgets for 1926-27 and 1927-28. In defending Government's action in the council on March 23, 1927, the Finance Member said "When we came to present the report of the select committee we found that unfortunately all sections of opinion were opposed to that bill. If we had thought that there was any prospect of the council taking a different view and of the matter being reconsidered when it was thrashed out on the floor of the House, we should have been very glad to proceed with the bill. It seemed to us, however, that it would be a sheer waste of time to do so. After all it was our bill. When it was clear that the council was not prepared to accept the bill why should we waste our time and their time by proceeding with it? If that bill is not law, if canal rates are not at present regulated by statute in the way in which we had contemplated, well, the responsibility does not rest with us." The history of this bill affords another illustration of the difficulty which the Governor in Council has met with in passing legislation of a controversial nature.

109. The irrigation budget evoked little discussion in the years 1921 to 1926. Few reductions in the demands were made and only one of these was carried against Government, that one was in 1926, and was a censure on Government for refusing to proceed with the irrigation rates bill. In 1927 the discussion occupied two whole days and ranged over a very wide number of subjects. The council was much more critical than in previous years and attacked the department on all sides. The reasons for this change of attitude were probably

The budget

that it was the first session of a new council, that owing to more money being available the amounts allotted to the department in 1926-27 showed a considerable increase over those of the preceding lean years since 1921, and that the council was still displeased with Government for refusing to proceed with the irrigation rates bill. Cuts to the amount of 1.02 lakhs were carried against the Government, but none of this money was restored. The council passed the budget for the current year without reduction.

Council questions.

110. Questions in council have been numerous, but nearly all have been of private interest only to the member concerned and have in no way affected the policy of the department.

Indianization.

111. The process of Indianization of the Irrigation Branch of the Indian Service of Engineers has been accelerated first by the war and later by the Reforms. In 1919 the department received eight European officers, one of whom resigned, to fill the vacancies due to stoppage of recruitment during the war. Since 1920 only six officers have been recruited from England and of these one has already resigned the service. The present position is that out of seventy-one Indian Service of Engineer officers in the department only thirty-five or forty-eight per cent. were recruited in Europe. The prescribed proportions of recruitment have, since 1924, been forty per cent. in Europe and sixty per cent. in India (forty per cent. direct and twenty per cent. by promotion). The proportion of European recruited officers in the service at present is therefore already very nearly down to the proportion of recruitment now made in Europe. Nine European officers retired prematurely between 1922 and 1925. There was during that period much discontent and unrest in the department, and officers with private means or prospects of other employment were glad of the opportunity to take a pension and retire. The discontent was largely due to economic causes and the unrest to lack of certainty as to the future and of faith in Government. The discontent has disappeared with the improved conditions of service introduced in 1924, confidence in Government has returned, and the only cloud on the horizon is now apprehension as to the future. The chief engineer considers the standard of Indian recruited officers to be much higher than formerly, and says that the efficiency of the department has not so far been appreciably lowered by Indianization. At the same time he realizes that the period since 1921 has been one of much activity and expansion during which officers have been spurred on to their highest

degree of efficiency, and he admits that where administration has been slack on open canals a state of inefficiency unknown in the past has quickly followed. His conclusion is that with the present proportions of recruitment a state of efficiency can be maintained, but that a lowering of the European element will lead to deterioration.

Statement showing expenditure and receipts in the Irrigation Branch, United Provinces, during the years 1915-16 to 1920-21.

Particulars.	1915-16.	1916-17.	1917-18.	1918-19.	1919-20.	1920-21.	Average.
<i>Expenditure.</i>							
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Works—Capital—							
(1) Productive	8,75,680	5,64,271	5,34,326	4,35,698	3,25,160	15,05,225	..
(2) Unproductive	13,24,671	7,41,718	5,46,024	3,67,521	2,38,492	2,10,730	..
Works and Extensions and Improve- ments—Revenue—							
(1) Productive	75,789	72,084	99,181	1,24,219	1,40,462	1,24,122	1,05,976
(2) Unproductive	1,16,988	1,18,760	1,26,024	1,39,071	2,17,722	1,68,266	1,47,805
Maintenance and Repairs—							
(1) Productive	11,79,471	11,15,477	11,15,039	11,63,404	12,15,433	13,61,327	11,91,692
(2) Unproductive	2,27,320	2,08,633	2,43,106	2,71,150	2,68,207	3,04,332	2,53,791
Establishment	25,81,302	24,60,329	24,08,989	24,52,461	27,13,634	36,75,057	..
Tools and plant and other charges ..	83,101	38,906	—8,294	—56,620	71,430	2,88,442	..
Total ..	64,64,322	53,20,178	50,64,395	48,96,904	51,90,540	76,37,501	..
<i>Receipts.</i>							
Productive	95,86,539	98,45,737	99,57,619	1,07,36,192	1,20,19,849	1,20,59,205	1,07,00,857
Unproductive	5,60,831	5,01,164	4,18,615	6,39,615	5,11,253	9,59,581	5,98,510
XIV—Neither capital nor revenue ..	9,490	16,432	17,615	28,796	24,145	28,358	..
Total ..	1,01,56,860	1,03,63,333	1,03,93,849	1,14,04,603	1,25,55,247	1,30,47,144	..
	37	50	53	66	74	54	..

Statement showing expenditure and receipts in the Irrigation Branch, United Provinces, during the years 1921-22 to 1926-27.

Particulars.	1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	Average.
<i>Expenditure.</i>	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Works—Capital—							
(1) Productive*	35,06,254	43,30,500	86,70,882	98,22,521	98,76,185	1,10,96,681	..
(2) Unproductive	3,65,039	2,39,862	1,95,952	1,10,146	2,36,180	2,34,299	..
Works and Extensions and Improve- ments—Revenue—							
(1) Productive	1,13,988	93,100	84,132	95,576	1,04,993	1,79,471	1,11,877
(2) Unproductive	62,285	29,623	31,486	—12,194	55,230	70,696	39,521
Maintenance and Repairs—							
(1) Productive	16,19,979	16,50,883	16,15,863	18,46,207	18,31,240	19,50,123	17,52,382
(2) Unproductive	2,93,841	3,00,518	3,10,675	3,18,112	3,68,234	4,22,057	3,35,573
Establishment*	43,61,199	46,43,132	48,99,339	48,79,650	52,59,835	60,89,229	..
Tools and plant and other charges*	3,07,331	3,06,640	2,73,188	3,36,488	3,30,898	2,05,141	..
Total	1,08,31,316	1,15,94,258	1,60,81,517	1,73,96,506	1,80,62,765	2,02,47,697	..
Receipts.							
(1) Productive	1,35,59,806	1,31,06,954	1,44,15,891	1,10,86,723	1,30,23,678	1,55,52,799	1,34,57,642
(2) Unproductive	9,13,274	7,10,857	6,70,319	5,41,027	6,88,117	6,56,536	6,96,688
XVI—Neither capital nor revenue	23,500	16,887	21,718	30,326	18,781	15,458	..
Total	1,44,96,580	1,38,34,698	1,51,07,928	1,16,58,076	1,37,30,576	1,62,24,793	..
	38	23	—9	—57	—43	—40	

* Include expenditure on Sarda canal.

(105)

Statement showing the action taken by Government on resolutions adopted by the Legislative Council during 1921 to 1927.

Date.	Subject.	Action taken.
1. February 16, 1921.	Reversion to old rates of irrigation.	Old rates restored in respect of gram.
2. December 7, 1921.	Abolition of Superintending Engineers.	The Public Works Committee opposed this proposal for Irrigation Branch and this Government concurred with their view.
3. February 2, 1923.	Reduction of irrigation rates	The occupier's rates on sugarcane crop in respect of all lands irrigated by the Upper Ganges and Eastern Jumna Canal were reduced from Rs. 12 to Rs. 10.
4. February 28, 1924.	Reduction of irrigation rates	Government have accepted the general principle that these irrigation rates should be brought within the purview of the legislature. A Bill to amend the Northern India Canal and Drainage Act, 1873, was introduced by Government in the Council, but was subsequently withdrawn owing to the non-official opposition to it.

Statement showing the action taken on resolutions withdrawn on an assurance from Government during 1921 to 1927.

Date.	Subject.	Action taken.
1. August 8, 1921.	Rate on canal water used for <i>paleo</i> .	New rules issued.
2. August 8, 1921.	<i>Kiari</i> rules of the Irrigation Department.	Rules abolished.
3. February 27, 1923.	Irrigation rates	Recommendations of Irrigation Rates Committee published and public invited to express their views thereon. Government have accepted proposal that rates should be brought within the purview of legislature. A Bill to amend the Northern India Canal and Drainage Act, 1873, was introduced by Government in the Council, but was subsequently withdrawn owing to the non-official opposition to it.

CHAPTER V.

FOREST DEPARTMENT:

112. The Forest department controls an area of 5,210 square miles, about five per cent. of the total area of the province. A chief conservator administers the affairs of the department under the Home Member of the Governor's executive council. The department is a profitable one to Government. The annual surplus since 1921 has averaged just over 25 lakhs. The value of the department cannot, however, be measured merely in terms of rupees. The forests afford a sure and steady supply of timber essential for the needs of the province, they have important physical effects, they supply grazing for a very large number of cattle, and generally are an asset of great economic value.

A valuable department.

113. The decade immediately prior to 1921 was one of great expansion and activity in forest administration. In 1912 the department assumed the management of a very large area of forest in the hills of the Kumaun division. A few years later it began a new felling policy in the old reserves which led to a rapid realization of reserve capital in the form of accumulated stocks of timber and a large and partially temporary increase in revenue. A necessary but somewhat belated consequence of this policy was the formation in 1920 of a working plans and research branch. Lastly, in 1918 the department launched out into an ambitious utilization policy which involved the establishment of—

Period 1911—1920.

- (1) a bobbin and turnery factory,
- (2) a large saw-mill to support the factory and also to supply the market with little known timbers in commercial quantities and in sizes suitable for immediate consumption, and
- (3) a wood-working institute for education and research.

114. The period 1921 1928 has witnessed a necessary contraction of activities in certain directions. It has nevertheless been a period of steady progress in many ways. Every division in the province has now been brought under a revised and more scientific working plan. The department has devoted much attention to the study of silviculture and has added considerably to its knowledge of the subject, particularly as regards artificial regeneration. The afforestation of ravine and other waste lands in certain districts has been steadily expanded. The surplus stock of timber has almost all been sold and a position of stability in output is now in sight.

Period 1921—1928.

Kumaun.

115. The policy of Government in regard to the Kumaun hill forests and utilization has undergone a radical change. It is important to see how this change has come about and to what extent it can be attributed to the Reforms. Government assumed control of these hill forests because they were satisfied that they were being gradually destroyed and that their preservation was in the interests both of the province as a whole and of Kumaun in particular. Control involved the imposition of restrictions. The sturdy hill people, accustomed to making much use of forest produce, fiercely resented these restrictions. A regular storm broke out. This might have been weathered but for the war and its aftermath, particularly the non-co-operation campaign, which found a ready ground for anti-Government propaganda among the discontented villagers, led by men back from the war and imbued with the turbulent spirit of that time. One of the Kumaun members of the legislative council intended to voice the grievances of his constituencies in the council on April 1, 1921, but withdrew his resolution as Government had informed him of their decision to appoint a committee to examine and report upon them. Even the appointment of this committee did not stop the agitation, and incendiarism broke out on a large scale in May and June and did immense harm to the forests. The committee reported in October, 1921 and as a result of its recommendations Government have withdrawn an area of 1,916 square miles from the control of the department and are considering the possibility of handing it over to the management of *panchayats*. Even in the remaining area control has been greatly relaxed, and the efforts of the department to maintain and improve the growing stock are considerably hampered by restrictions and fear of further agitation. The Kumaun trouble began before 1921, and the revision of policy would almost certainly have taken place even without the Reforms, but the Reforms undoubtedly brought the trouble more into the lime light and afforded opportunities for criticising the Government which were absent in the old constitution. In spite of the fact that the grievances of the people have been removed the legislative council has devoted quite a disproportionate share of its interest to Kumaun matters and at one time encouraged a movement for the complete abolition of the Kumaun forest circle.

Utilization.

116. The war and its aftermath also had a profound effect on the utilization policy of the department. The turpentine factory which had been started prior to the expansion of utilization activities in 1918 was able to weather the storm, but

the bobbin and turnery factory was less successful. Government, like many business men, miscalculated the after effects of the war and the trade boom expected by them did not materialise. The period was in fact most unpropitious for a pioneer industry. All manner of difficulties arose and the bobbin and turnery factory incurred very heavy losses. So serious indeed were the losses and so great the difficulties that Government would have been compelled in any case to revise their policy. The legislative council was in no sense responsible for creating the trouble. It only brought it into prominence and added to the embarrassment of Government by its unsparing criticism and insistent demand for the immediate abandonment of the venture. In the end the factories were disposed of, the wood-working institute was transferred to the Industries department and the utilization activities of the department were greatly curtailed. The legislative council had undoubtedly every justification for criticism and for demanding a curtailment of losses at a time when money could ill be spared. If its attitude is open to criticism, it is only because it showed little, if any, recognition of the fact that a bold attempt was being made to create indigenous industries and that this attempt had succeeded in the case of the turpentine factory. The efforts of the department were by no means wasted. The turpentine industry has been firmly established and handed over to private enterprise, thus affording a sure market for the rosin of the Kumaun forests. Furthermore, as a result of the utilization policy, Government have found a steady and profitable market for railway sleepers.

117. There is nothing to show that either the legislature or any section of the public appreciate the importance of the forests or is prepared to defend them against local pressure. The legislature has shown comparatively little interest in any aspect of forest administration and practically none in wide questions of policy or in the scientific activities of the Forest department. It has, on the other hand, consistently taken the view that the villagers should benefit cheaply and without restriction from any product which the State controls. It has been less interested in safeguarding the public estate than in pressing the Government to grant concessions. Grazing concessions, concessions to the village right-holder, concessions to the contractor who buys timber from the forest, concessions in fact of almost every kind, are apt to find easy support. Members of the council who represent constituencies containing forest areas or adjoining such areas are inclined, owing to the pressure of their constituents, to oppose scientific forest con-

**Attitude of
the public
and the
legislature.**

trol, and, as happened also in the case of canal rates, they have had no difficulty in enlisting the sympathy of other members who have no close interest in the question. Its attitude to the Kumaun hill forests affords a good illustration of the sectional nature of the council's interests. Of eight resolutions relating to forest matters no less than four concerned Kumaun. Of one hundred and fifty-three questions on matters of purely forest administration sixty-four related to Kumaun, while in the discussion of the forest budget Kumaun has each year occupied the foremost place.

**The budget
in council.**

118. The legislative council has shown a certain amount of interest in the forest budget. In the first council there was a considerable amount of very ignorant criticism, but distinct improvement in this respect has been apparent in more recent years. The council has little toleration for expenditure which appears to be unproductive. It has been common to compare the financial results of the Kumaun circle with its vast areas bearing timber of little value in remote hill districts with those of the eastern circle where the area is smaller, the timber of infinitely greater value and the railway system at no great distance. The fact that the hill forests have a value that cannot be expressed in terms of money has received little recognition. The following quotation affords a good illustration of the general trend of criticism on the commercial activities of the department:—"We in this council resent such transactions as they (that is, the department) have been going into in Chakrata and we have to scrutinize and check and to see whether the money has been properly spent." The transaction in question was a new form of contract to facilitate the sale of timber from a remote hill forest where the previous system of sale had proved unprofitable. On the whole, however, the attitude of the legislature to the department's budget, if somewhat unsympathetic, has never been definitely hostile or obstructive. Many motions for reduction of demands have been moved merely to elicit information and have been withdrawn when Government have explained the real position. The most important cuts made by the council have been:—

1921	...	Rs. 10,000	for unforeseen charges, and
		„ 33,200	for pay of temporary officers.
1923	...	„ 30,000	from Kumaun circle, and
		„ 25,000	from Utilization circle.
1924	...	„ 1 lakh	from Kumaun circle, and
		„ 38,450	from Utilization circle.
1925	...	„ 2 lakhs	from Kumaun circle.

The Governor has used his special powers to restore the following amounts :—

1921	...	Rs. 33,200	for pay of officers;
1924	...	„ 37,370	for Utilization circle;
1925	...	„ 2 lakhs	for Kumaun circle.

119. The council have made less use than might have been expected of the right of asking questions. Kumaun and utilization policy formed the subject of forty per cent. of the questions asked, and other matters in regard to which information has been asked for include grazing, sales of forest produce, land acquisition for forests, grievances of subordinates, Indianization, amenities of certain officers, and reasons for certain appointments. Questions alleging preferences given on racial grounds and suggesting the withdrawal of amenities at present enjoyed by officers have been asked by a small number of members, mostly of one party.

Questions.

120. The formation of a forest advisory board in 1921 was a direct outcome of the constitutional changes made in that year. The member of the executive council in charge of the Forest department favoured the establishment of such a board for two reasons :—

Advisory board.

- (1) in order to keep the department in closer touch with the people, and
- (2) in order that Government might have the advice of the board on important questions of policy.

The board consists of a president, three official members and five non-official members, of whom four are elected by the legislative council and one is nominated by the Government. The president of the board has, since 1922, been the commissioner of the Kumaun division and the official members are the chief conservator of forests, the finance secretary and the director of industries. Up till 1926 the majority of the non-official members were residents of Kumaun, but since the formation of the Kumaun Forest Committee the non-official members of the board have been representative of wider forest interests. The board met once in 1921, four times in 1922, twice in 1923 and once in 1924. Up till 1924 the board were empowered to consider only such matters as Government chose to refer to it. Since 1925, however, members have had the right of bringing any matter before it by means of resolutions, a right of which they have up to the present made no use whatever. Since the Kumaun forest policy was altered and the Utilization circle abandoned, interest in forest matters has waned. This accounts for the fact that the board has met only twice since 1924. Although the number of its meetings has been few the board has served a distinctly useful purpose.

**Kumaun
Forest
Committee.**

121. As an auxiliary to the advisory board Government have also appointed a Kumaun Forest Committee and this has now a great influence in determining forest policy in Kumaun. The committee is constituted as follows:— the commissioner of Kumaun, president; three members nominated by Government; the four members of the legislative council for Kumaun constituencies; the chairmen of the district boards of Naini Tal, Almora and Garhwal; and the conservators of the Kumaun and Western circles.

**Annual
surplus.**

122. While the Forest department should not be regarded as a wholly commercial one, the financial results of its operations are of great importance to Government. In the five years prior to 1921 the average surplus was just over sixteen lakhs. In the period since 1921 it has increased by nine lakhs to just over twenty-five lakhs, but four lakhs of this increase are due to exceptional expenditure, mainly capital, in the Utilization and Kumaun circles prior to 1921. The surplus showed a steady rise from 1915, when the new felling policy was introduced, up to 1925, when it reached its highest point, namely, 32 lakhs. About three-fourths of this increase was due to the sale of accumulated stocks of timber which the new working plans showed could be sold without injury to the forests. Rising prices accounted for the other fourth. Since 1925 a decline has set in. Prices have fallen and the accumulated stocks of timber are now becoming exhausted. The surplus fell to 27 lakhs in 1926 and 25 lakhs in 1927. A position of stability in the matter of output is likely to be reached in the course of the next few years.

**Scarcity of
money.**

123. It has already been said that the attitude of the legislature to the department's budget was not altogether hostile and that it passed it with comparatively small reductions between 1921 and 1925 and with no reductions thereafter. On the other hand the division of subjects into reserved and transferred has had a profound effect on the finances of the department. Money has been extremely scarce and the transferred departments have come in for the larger share of any that there has been available for new expenditure. The Forest department has undoubtedly received less than a pre-reform Government would have given it. Government increased the forest establishment so that it might be able to cope with the general expansion of activities under the new working plans, but they have been unable to provide the money for that expansion. Roads and buildings have been starved. The attitude of Government is well illustrated by what happened in 1927. In that year, as a result of the omission of the provincial contribution to the Government of India, Government were in a position to place before the

legislative council supplementary estimates amounting to over fifty-two lakhs. The Forest department in that year had asked for only Rs. 10,637 for five items of new expenditure. When the windfall of fifty-two lakhs came the department did not receive a single rupee.

124. The chief conservator complains of the system of budgetting necessitated by the reforms. The department has an extremely short working season and the financial year ends just when this season is reaching its climax. Since 1921 the Finance department have insisted on much closer budgetting and have threatened officers with personal financial responsibility for the overspending of grants. Audit on the other hand demands explanation if grants are not fully spent. This may be a reasonable system of finance for the ordinary type of Government department, but the Forest department is in a special position. It is a semi-commercial department whose operations are confined to a few months of the year and to remote tracts, and the amount and nature of the work which can be done depends on many factors which cannot be foreseen, notably the nature of the monsoon and the winter rains. Accurate budgetting is therefore impossible if the department is to take the fullest use of its opportunities and the existing system would not be tolerated by any commercial firm.

Difficulties arising from budget system.

125. The greatest immediate effect of the Reforms is, however, according to the present chief conservator, to be found in "a most serious and almost overwhelming increase in office work and worry which cripples the clerical staff and makes it difficult if not possible, for officers to avoid a tendency to devote themselves to complying with rules and avoiding objections rather than to the interests of the forests." This increase of work and worry the chief conservator attributes to the tyranny of the Audit department, the separation of pay and accounts from audit, which is said to cause much duplication of work, and to inspections by audit officers, the inspector of offices and the inspector of leave accounts. Like other heads of departments he doubts whether Government derives any real advantage from this elaborate system of check and inspection. Irregularities brought to light are generally of trifling importance and against any improvement in the observation of rules and regulations must be set an enormous increase in work, worry and expenditure and dangerous tendencies towards over centralization and interference by audit in purely administrative matters. The chief conservator has observed that he regards "the interference (by audit) with discretion about contracts as cutting at the very root of all commercial success

Audit and inspection.

and as being so far the most dangerous concrete result of the Reforms."

**The Forest
services.
Indianiza-
tion.**

126. The superior staff of the Forest department is composed of members of the Indian Forest Service and the United Provinces Forest Service. Up till 1920 the Indian Forest Service was entirely European. In that year the Secretary of State decided that the European element should be reduced in future direct recruitment to sixty per cent. and further that twelve and a half per cent. of the cadre should consist of officers promoted from the United Provinces Forest Service. The Lee Commission recommended that future recruitment should be seventy-five per cent. Indian and only twenty-five per cent. European. While in 1920 there were no Indians in the Indian Forest Service in this province, there were at the beginning of 1928 nine Indians and twenty-seven Europeans, of whom two had an Indian domicile and had been promoted from the United Provinces Forest Service. The present chief conservator has expressed his satisfaction with the standard of the Indians directly recruited. The seniority in the Indian Forest Service given to officers promoted from the United Provinces Forest Service has been the cause of very serious discontent among the Indian Forest Service officers who consider that their interests have received but scant consideration. The remarks of the Government of India in forwarding their memorials to the Secretary of State namely that their grievance was merely sentimental since all future promotion would be by selection for merit and not by seniority, did nothing to allay this discontent. On the other hand there is general recognition of the fact that conditions of service have been much improved since 1924, and premature retirements due to the Reforms have accelerated promotion. Seven Indian Forest Service officers have retired prematurely since 1921 as a result of the Reforms.

**Transfer of
forests.**

127. In 1924 the Reforms Enquiry Committee recommended that forests should be made a transferred subject in those provinces in which it had not already been transferred, unless the local Government concerned could make out a convincing case against transfer. The Governor in Council very strongly opposed this proposal. Put quite briefly, the reasons for his opposition were that the forest area in this province was very small and that its protection was for that reason of special importance, and that the legislative council had shown little appreciation of the importance of the forests and had not realized the risk, not only of their destruction but also of ruining the provincial water supply. The views of the Governor in Council as at present constituted in regard to the question of transfer have not yet been formulated.

CHAPTER VI.

EUROPEAN EDUCATION.

128. European education, as distinct from the general subject of education, is a reserved subject and is administered by the director of public instruction under the Finance Member of the executive council. Since 1922 a divisional inspector has been relieved from other work in order to enable him to concentrate on the problems of European education. The number of European schools has remained unchanged since 1921. There has been a progressive improvement in the staff due to the replacement of untrained by trained teachers, who now constitute sixty-eight per cent. of the whole staff. Government have given substantial financial assistance so as to permit the offer of more attractive salaries. The number of pupils has increased from 5,734 (including 285 Indians) in 1921-22 to 6,213 (including 528 Indians) in 1926-27. This increase is probably due to a large extent to the longer duration of school life noticeable both in boys' and girls' schools. The schools are financed partly from fees and other private sources, including subscriptions, and partly by Government and to a small extent by local boards. The proportion of the cost borne by Government has tended to increase. In 1921-22 Government provided 8.10 lakhs and the schools themselves 13.05 lakhs, and in 1926-27 Government provided 9.86 lakhs and the schools themselves 13.97 lakhs. The proportion of the cost borne by Government has increased from 38.4 per cent. to 41.3 per cent.

Progress
since 1921.

129. The legislative council has voted the increasing demands without reduction. Individual members have attacked the budget for these schools on various grounds. They have alleged that the schools are run on racial lines and breed racial arrogance, that the education provided by them is unduly costly and also ineffective, that some of the money could be utilized to better purpose in advancing education among the Indian community whose needs are greater, that European education is pampered while Indian education is starved, and that European education is receiving more than its fair share of provincial funds while Europeans and Anglo-Indians bear less than their fair share of taxation. Government have met these attacks by pointing out that the education of Europeans, who are a small and widely scattered community, must for special reasons be more costly than the education of Indians,

Attitude
of the
legislature.

that the only fair basis of comparison is to compare the proportion of the total cost borne by public funds, and that on that basis the European schools receive less from Government than Indian schools, that Government do not maintain any schools for Europeans, these schools are all aided, and further that these schools are being increasingly used for the education of Indians, and that their ideals and traditions are a valuable asset to the system of education in this province. Up to the present Government have been able by the use of these arguments to carry the council with them. The council has never attempted to interfere with the curriculum or the control of European schools, and the decision to set aside an inspector exclusively for the benefit of these schools was never questioned. There have from time to time been questions regarding the admission of Indians to European schools.

CHAPTER VII.

POLICE DEPARTMENT.

130. The sanctioned strength of the police force of the United Provinces in 1921 was 36,651 and in 1926, 32,915. These figures include all the civil, armed, mounted and railway police in the province and some officers serving outside the province. At the head of the force there is an inspector-general, who is assisted by three range deputy inspectors-general in the administration of the civil, armed and mounted police, by a fourth deputy inspector-general in the administration of the criminal investigation department, and by an assistant to the inspector-general in the administration of the railway police. The other superior officers of the force are superintendents, and assistant superintendents, who are members of the Indian Police Service, and deputy superintendents who are members of the United Provinces Police Service. The subordinate officers consist of inspectors, sub-inspectors and sergeants. The unit of administration of the civil, armed and mounted police is the district, and the head of each district force is the superintendent. The criminal investigation department is a single unit which has three separate branches each under a superintendent. The railway police is organized in three separate divisions each under a superintendent.

Organiza-
tion of the
force.

131. The seven years 1921—28 have probably been the most difficult consecutive seven years that the police have ever experienced in this province. The end of the war found the force discontented, dis-spirited and weary. It was suffering from economic distress due to high prices from the loss of some of its best material owing to the formation of battalions for the war, and from the weakening of discipline due to the absence of a large number of officers on military service. As a result of the recommendations of a committee appointed in 1919 to inquire into the conditions of service, the internal economy, and to some extent the administration, of the civil police, the pay of the subordinate ranks of all branches of the force was considerably improved in 1920 and though other improvements recommended by the committee were not introduced till later there is no doubt that the increase of pay combined with the hope of further amelioration in the conditions of their service did much to hearten the police and help them through the very difficult years 1921 and 1922 when the non-co-operation movement with its direct results, namely, widespread agrarian disturbances in Oudh and a large increase in violent crime, placed

Difficulties
of the
period.

a tremendous strain on the force. So serious did the position become that after the Chauri Chaura police station had been sacked in February 1922, and twenty-three police officers and village chaukidars murdered, a temporary auxiliary force of over two thousand men was enlisted. That incident marked the turning point in the campaign of lawlessness and thereafter the position steadily improved. No sooner, however, had the non-co-operation movement collapsed than communal tension began and it has continued with increasing bitterness down to the present day. Every religious festival is a possible cause of trouble and requires more or less elaborate police arrangements, while riots accompanied by much blood-shed have been a sad feature of the last few years. Nevertheless other forms of violent crime have decreased and remarkable success has crowned the efforts to deal with dacoity which has for long been the principal police problem of the province.

Progress
made.

132. In spite of the preoccupation of the force with the special difficulties mentioned above, the period since 1921 has been marked by distinct advance in many directions. The conditions of service of all ranks of the force have been further improved. The question of accommodation has been seriously tackled and something done to remove a long standing scandal and to show to the rank and file that their comfort and the development of their self-respect is the concern of Government. Considerable improvement has been made in the system of training of all ranks of the force, and schools at all districts headquarters have been reorganized and placed under trained teachers. Among the higher ranks of the force there has been an increasing interest in scientific methods of dealing with police problems and a healthy tendency to regard police work from a professional point of view. Much has also been done with successful results to foster *esprit de corps* and to lead all ranks to take a greater pride in their work. All these factors by their influence on the personnel of the force have combined to improve its morale, its probity and its efficiency. At the same time improvements in the organization of the force have not been lacking. The criminal investigation department has been completely reorganized and made a much more effective weapon for tackling the difficult problems that are constantly confronting it. A very considerable measure of decentralization in the administration of the force has been introduced with excellent results. The advantages of specialization have been recognized by the establishment of special forces to deal with dacoity and cattle theft and by the training of men in traffic duties. The dacoity and cattle theft forces are only temporary. The former has met with remarkable success. In

1922 the number of dacoities was fourteen hundred and forty-nine. In 1926 it was seven hundred and eleven and by that year practically all the well organized gangs of dacoits had been broken up. By 1927 the number of dacoities had fallen still further to six hundred and fifty-seven. In connection with crimes other than dacoity improved methods of investigation and surveillance have been introduced and a considerable advance made in the thoroughness and purity of methods applied. Punishment rules have been tightened and every effort made to eliminate the effete and corrupt. The period has therefore been one of considerable activity. Much, however, still remains to be done. While relations with the public have distinctly improved, there is still a long road to travel before the force can retain the complete confidence of the people at large. The conditions of service of the lower ranks requires further improvement. All ranks of the force require strengthening to render it capable of coping satisfactorily with the new and complex problems which the development of the province is bringing in its train.

133. It is clear that the reformed system of Government has not prevented the department from making substantial progress. On the contrary the very fact that the police have been brought more into prominence may have acted as a direct stimulus to improvement. Progress would, however, have been greater if money had been less scarce. It is, of course, true that the expenditure on the police force was very considerably increased in the years 1920-21 and 1921-22. That increase was, however, long overdue and its only effect was to bring the pay of the subordinate ranks of the force, the clerical staff and the menials into somewhat closer relation to the increased cost of living. From 1921 to 1926 the department had to carry on with a steadily diminishing grant: there have been slight increases in 1927 and 1928, but the grant for the current year is still eleven lakhs less than that of 1921-22 though against this reduction in expenditure from revenue should be placed very considerable expenditure on police buildings which has been financed from capital. Such reorganization and improvements as have been effected since 1921 have had to be financed from savings in other directions, with the exception of the new building programme which has been made possible by a loan of one crore from the Government of India. Schemes of improvement which will cost nearly seven lakhs have actually been sanctioned and are awaiting funds. Some of these were sanctioned three and even four years ago and are really urgent, for example, the supply of boots to the armed police. Many other schemes of improvement have not

**Financial
conditions.**

been submitted for Government sanction as the department realize that it is useless to send them up while so many sanctioned schemes are still awaiting funds. There has been a general lack of money which cannot be attributed to the Reforms. On the other hand the Police, rightly or wrongly, feel that owing to the claims of the transferred departments they have not been treated as generously as they ought to have been. The department also complain of the difficulty of the system of finance introduced since 1921. Budgetting is now so exact that there are practically no savings and the inspector-general has to spend far more time than he can spare in trying to balance his budget at the end of the year as it is quite impossible for him to foresee a year ahead all the demands that may be made on the force. Expenditure has to be curtailed wherever possible till near the close of the year, with the result that rewards are not paid, the supply of uniform is kept down and repairs are not carried out. The inspector-general also complains of the new audit system which has caused grave irritation everywhere. He has already protested to Government against the waste of the time of his officers in dealing with petty objections. A further result of the Reforms—or rather of ministerial policy since the Reforms—has been the transfer of all works of petty construction (up to Rs. 20,000) and repairs from the Public Works department to the departments administratively concerned with the works. In a department like the police this is an important matter and it has placed a very heavy burden of responsibility on superintendents, who have no technical knowledge of building. The inspector-general has found it necessary to add a trained engineer to his staff to assist him with this work.

**Some effects
of the new
system.**

134. The day to day administration of the department has gone on much as in pre-reform days. In the districts the effects of the new system are comparatively little felt. The duties of the superintendent of police remain unaffected and his powers have been increased by new measures of decentralization rather than diminished. He finds the administrative officer above him somewhat more inquisitive, he is irritated at times by demands from members of the legislature for information on internal affairs of no importance, and he is worried by the attentions of an audit department which spends much time and money on the discovery of petty irregularities and has so far failed to assist in bringing to light any serious delinquencies. But the change of system affects the inspector-general more than any other officer. Not only has he to give up much of his time to attendance at legislative council meetings, but he has also to devote much time and labour to preparation for the annual discussion on his departmental budget, as it is

necessary for him to get up his case in the most minute detail since no matter is so petty as to be immune from attack. He has also to place himself at the disposal of the Home Member and to give him all possible assistance in meeting criticism of the department both in the council and outside. Owing to the tightening of financial control he has to prepare all proposals for new expenditure with greater care and sometimes to explain such proposals personally to the Finance department and the Finance Committee. This expenditure of time is a necessary consequence of the new system, and it has had its reward in the smooth relations that have existed in recent years between the head of the department and the member of Government in charge of it and also in the success with which Government has been able to meet attacks on the department in the council, and lastly in the better esteem in which the department now stands with the council and the public.

135. The police force cannot by any means be called popular and the legislative council has devoted much time to the discussion of its affairs. It would not, indeed, be unfair to say that the council generally has been inclined to regard the police as a necessary evil: it has been unsparing in its criticism but it has never so far failed to vote the necessary supply for the department. In some years it has reduced the Government demand but never very seriously and it has passed the last three budgets with no reduction other than those accepted by Government with the exception of two token cuts of Rs. 100 in 1926 and 1927. Only in the present year has there been an irresponsible motion to omit the whole demand and that occasion was distinguished by the fact that the leader of the nationalist party, after moving an amendment to reduce the demand by three lakhs only and after pointing out the necessity for the police force, led his party into the division lobby in favour of the omission of the whole demand. In 1921 the council voted a demand which was largely in excess of that of the previous year and included provision for the purchase of motor lorries to assist the police in dealing with agrarian disturbances, but it insisted on a reduction of Rs. 20,000 in the grant for the criminal investigation department. Government resisted this reduction and was heavily defeated. In 1922 provision for the fifth post of deputy inspector-general would almost certainly have been cut out if the Home Member had not promised that he would abolish the post within the year, and Government were unable to prevent a further cut of Rs. 10,000 in the provision for the criminal investigation

The council
and the
budget.

department. The vote on this latter item was largely influenced by the groundless suspicion that the department had not respected the reduction of Rs. 20,000 made by the council in the previous year. As a matter of fact expenditure had been kept within the allotment passed by the council, but members could not be persuaded to wait for reliable figures before passing their censure. An item of Rs. 25,000 for the running charges of the motor lorries was only passed by the casting vote of the President in spite of the fact that the Chauri Chaura tragedy had happened in the previous month. In 1923 the demand was nearly eight lakhs less than in the previous year, but even so it did not go through without reduction. In addition to being defeated on two motions on which the racial question arose, Government found it advisable to accept several reductions and in all lost over a lakh and a half. The racial issues concerned the promotion of deputy superintendents to superintendentship in preference to assistant superintendents, and the opening of inspectorships in the railway police to Indians. In the divisions on both these motions the ministers abstained from voting. A third defeat, also on a racial issue, namely, the opening of reserve inspectorships to Indians, was only averted by an assurance that Government had already appointed some Indians to these posts, and were ready to appoint more. Government avoided a fourth defeat by withdrawing a demand for Rs. 32,000 for the reorganization of the criminal investigation department. There had been some misunderstanding in regard to this project and Government undertook to place their proposals before the Finance Committee and to bring them before the council at a later date in the form of a supplementary estimate. As a result of reconsideration Government so altered the scheme that it involved no extra expenditure and they brought it before the council as a token estimate for Rs. 10. Even so, the council rejected the estimate, apparently because it disbelieved Government's assurance that no extra expenditure was involved. The Governor later used his powers of restoration to enable the reorganization to be introduced. The 1924 demand was three lakhs less than that of 1923, but again this was not sufficient to prevent further reductions of nearly a lakh being made by the council. The annual attack on the number of deputy inspectors-general was renewed and Government was defeated on a motion to reduce the demand by Rs. 100 to indicate the view of the council that two range deputy inspectors-general were sufficient. The criminal investigation department was again attacked and Government escaped defeat only by accepting a reduction of Rs. 20,000

which they were later in the year able to restore by means of a supplementary estimate. As a censure on Government for failing to reduce the number of assistant and deputy superintendents as recommended by an economy committee which had sat the previous year, the council made a reduction of Rs. 15,000. The demand in 1925 was again lower than in the previous year, this time by two lakhs, and the council took their annual toll by making further reductions to the extent of three-quarters of a lakh. In this year Government suffered its most serious defeats and the Governor was for the second time forced to use his powers of restoration. Deputy inspectors-general and the criminal investigation department again formed the main objects of attack. The salaries of the deputy inspector-general, criminal investigation department, and one range deputy inspector-general happened to be votable and the council cut out the whole provision for these salaries, in each case by a comparatively small majority. In addition, it made a further cut of Rs. 10,000 in the provision for the criminal investigation department. The Governor certified all these items under proviso (a) to sub-section (2) of section 72-D of the Government of India Act. Government suffered a further defeat, and this time by a larger majority, on a racial issue, namely, the alleged grievances of deputy superintendents in the matter of promotion to superintendentships. In 1926 the *swaraj* party were absent and the budget, again lower by over two lakhs, went through with less reduction, if with no less criticism, than in previous years. The only cut made was in fact a token one of Rs. 100 to draw the attention of Government to the need for restoring some of the village police who had been reduced as a measure of retrenchment. The object of this cut indicated a welcome change in the attitude of the council. The 1927 budget was discussed at greater length than any of its predecessors, perhaps because the total demand was a lakh in excess of that of the previous year. The council devoted two whole days to its discussion and debated motion after motion for reduction. Several members attacked the inspector-general for remarks in his annual report regarding—

- (1) the unwillingness of courts to pass death sentences in murder cases, and
- (2) the criticism of politicians on police administration.

They regarded these remarks as a breach of the privilege of the House, and it was only the repudiation by the inspector-general of any intention of reflecting on the conduct

of any members of the council that prevented a break away on the part of some of Government's supporters. In spite of the combination of the nationalist and *swaraj* parties in opposition Government were able to carry the budget through with only a single defeat (again on the subject of deputy inspectors-general) and with the surrender of only Rs. 15,000. Later in the year Government went to the council for a further demand for over one and a half lakhs for a necessary increase in the strength of the armed police and were able to carry the demand without serious reduction, in spite of determined opposition by the nationalist and *swaraj* parties. In the present year the police demand was discussed for only two hours as the council spent the rest of the time allotted in the discussion of two demands for transferred departments. The whole of this time was spent on a motion to omit the entire demand which was defeated by 58 votes to 35 in spite of the fact that many members of the nationalist party voted with the *swarajists* against Government. This brief *résumé* of the budget discussions is sufficient to prove the truth of what was said above, namely, that the council has been unsparing in criticism but has had a sufficient sense of responsibility not to use its powers to cripple the police administration. The Governor has only twice had to use his power of restoration, and in neither case was the amount a large one. Attacks have been chiefly directed against the criminal investigation department, the deputy inspector-general, and any branch of the force where there has been a suspicion of preference for the European or of injustice to the Indian.

Resolutions.

136. The number of resolutions relating to police administration actually moved in the legislative council since 1921 has been seventeen, eleven in the first, four in the second and two in the present council. Five of these have concerned riots or disturbances, three asking for the appointment of committees to enquire into the cause of particular riots or communal riots in general, and two demanding that Government should take action against certain police officers for their conduct during riots. The two latter came before the first council and both were defeated, one without a division and the other by 43 votes to 19. Of the others one was withdrawn, one defeated and one carried. Government opposed the one resolution which was carried on the following grounds :—

- (1) it was moved more than six months after the events complained of and admittedly no complaints had been made to Government at the time of the events;

- (2) the events in question occurred just after the Chauri Chaura tragedy and in the same part of the province;
- (3) the only acts complained of for which there was any evidence were that the police had used canes to disperse some non-co-operation volunteers and had also burnt some huts in circumstances of great provocation; and
- (4) the facts were known and no committee was required.

These arguments were, however, not sufficient to convince the council, whose attitude bore testimony to the truth of the Home Member's statement, during the debate, that "it is a well-known fact that whenever Government takes action to preserve law and order, they are always charged with bad motives and designs". Three resolutions were on the subject of Indianization; one concerned the percentage of Indians recruited to the Indian Police Service, another promotion of deputy superintendents to the grade of superintendent, and the third the appointment of Indians as inspectors and superintendents in the railway police. Two of these were withdrawn after Government had explained the position and the third was adopted unopposed. There are some black sheep in every flock, and it is doubtless the black sheep in the police force who are responsible for the tendency to look on the police as oppressors and to take a lenient view of disturbances and to restrict the police in its dealings with suspected characters which is shown by four resolutions, of which two had the object of removing additional police from disturbed areas and excusing the inhabitants of these areas from paying for these police, and the other two were aimed at the secrecy of police reports on suspected persons. One of each class was carried against the Government. The influences of sentiment and religion are evident in resolutions aimed—

- (1) at the removal of all restrictions on admission to the police which were based on caste, and
- (2) at the transfer of the reclamation of criminal tribes from the salvation army to organizations of the faith professed by the tribes.

Both these resolutions were adopted without a division. The former shows an unwillingness to face facts and an inclination to indulge in idealism. In the case of the criminal tribes Government have been waiting for over sixteen years for any responsible indigenous organization to take up the work

of reclamation. The only other resolution that need be mentioned was aimed at the abolition of the grade of circle inspector. The resolution was withdrawn in view of an assurance that this matter was to be considered by a committee, but the general attitude of the council at the time was against the departmental view. It should, however, be added that the attitude of the council showed a marked change in the debate on the budget for 1927-28 when the subject again arose.

**Council
questions.**

137. Questions have been numerous. Few can be said to have been of public importance or of more than personal interest. Some have called attention to real grievances, but a large number concerned alleged racial or communal inequalities, alleged designs on the part of Government or the department to defend officers supposed to have failed in their duty, and alleged grievances of officers. Few have been asked with a view to exposing real maladministration or incompetence. Many have made a demand for statistics. Questions seldom cause embarrassment to Government or to the department, but many are irritating and many involve an amount of clerical labour which is out of all proportion to any public benefit derived from them.

**Standing
Committee**

138. There has been a certain amount of pressure on Government to appoint a Standing Police Committee consisting of members of the legislative council. Notice was given of a resolution on the subject on three occasions in 1921 and 1922; but each time the resolution was withdrawn before the appointed day. On October 24, 1922, in answer to a question Government stated that the Governor in Council did not consider that such a committee would serve a useful purpose. On December 14, 1922, the council adopted a general resolution in favour of the appointment of standing committees, and the matter was again raised during the discussion of the police budget in 1923 and Government promised to consider it. In June, 1923 the Governor in Council definitely decided against such a committee and announced his decision in reply to a question in the following October. On March 4, 1925, the council adopted a further resolution recommending the appointment of standing committees and advisory boards. The Finance Member opposed the appointment of further standing committees on behalf of the Governor in Council on the ground that such committees should deal only with questions of general policy, and that such are few in such departments as Police, Jail and Revenue, and where they do arise can best be dealt with by special *ad hoc* committees. The Governor in

Council again considered the appointment of a standing committee for police in April, 1925 and decided not to appoint one. The matter has not been re-opened since then.

139. The total number of officers of the Indian Police Service on January 1, 1928, was one hundred and five, ten short of the full cadre. On January 1, 1921, there were no Indian members of the Indian Police Service, but two Indian officers held Indian Police Service posts. On January 1, 1928, there were nineteen Indian members of the Indian Police Service, nine in the rank of superintendent and ten in that of assistant superintendent. The percentage of Indians has thus reached eighteen within the last seven years. The sanctioned system of recruitment is to reserve twenty per cent. of the superior posts for members of the United Provinces Police Service and to fill these posts by promotion from that service as vacancies occur, and to recruit for the remaining posts directly in the ratio of five recruits from Europe to three from India. This system is expected to make the service fifty per cent. European and fifty per cent. Indian in twenty-five years from the date of its introduction. The inspector-general is on the whole satisfied with the class of officer whom he has so far got by promotion from the provincial service. He is less satisfied with the officers directly recruited in India by means of competitive examination, whom he considers generally inferior as police officers to those officers recruited into the provincial service by means of selection. He considers that a change in the rules regulating direct recruitment is essential if Indianization is to have a fair chance of proving its success as a policy. The United Provinces Police Service is entirely composed of Indians or statutory natives of India, including Europeans domiciled in India. The posts of reserve inspector and divisional inspector were by practice, if not by rule, reserved for Europeans till within comparatively recent years. This reservation has been abandoned and Indians are now appointed to both classes of inspectorship.

Indianization.

140. Seventeen officers of the Indian Police Service have retired, or gone on leave preparatory to retirement, under the premature retirement rules. Two of these officers were, after their retirement, permitted to count their retirement as under the ordinary rules. Some officers who have been permitted to retire and who had gone on leave preparatory to doing so were allowed to return to duty on completion of their leave. Most of the applications for permission to retire were made in the years 1921 and 1922 when the future was obscure, prices high and pay inadequate, and the conditions of life and work extremely uncomfortable.

Premature retirements

**Communal
tension**

141. Communal tension has added enormously to the work and responsibility of the police in recent years. The force has come through this trial with real credit. There has been much hostile criticism from one side or the other, but there is reason to believe that the public as a whole appreciate the good work which the force has done in very difficult circumstances. There is fortunately little indication that the communal virus has entered the ranks of the force itself to any material extent, but it has appeared on occasions and is an obvious source of very great danger. The inspector-general has made it clear that any officer or man allowing himself to be influenced in the discharge of his duties by communal bias will be very severely dealt with. The few who have fallen victims have been punished quickly and severely.

*Statement showing action taken on resolutions relative to
Police adopted by the Legislative Council.*

Date.	Subject.	Action.
1. January 30, 1922.	Appointment of more deputy superintendents as superintendents.	No action.
2. March 3, 1922.	Taking of early and suitable steps to check dacoities in certain districts.	Special force of dacoity police was formed.
3. October 24, 1922.	Appointment of a committee to enquire into cases of alleged terrorism in Basti.	No action.
4. January 30, 1924.	Discontinuance of practice of consulting trying magistrate before taking action under section 110, C. P. C.	Practice has been abolished where it existed.
5. August 22, 1925.	Remission of liability to pay for additional police posted in certain places.	Government reviewed the position and withdrew the police from one place.
6. December 17, 1925.	Removal of prohibitions on admission to public service based on caste.	Police regulations were amended.
7. June 27, 1927.	Grant to persons mentioned in police registers of opportunity to explain their conduct.	No action.
8. November 2, 1927.	Transfer of reclamation of Criminal Tribes to indigenous organizations.	Government are ready to employ indigenous organizations if any come forward and are found suitable.

*Statement showing action taken on resolutions relating to
Police adopted by the Legislative Council.*

Date.	Subject.	Action.
<i>(a) Withdrawn.</i>		
1. February 15, 1921.	Appointment of a committee to enquire into causes of certain agrarian riots and propriety of Government action.	No action.
2. July 30, 1921.	Recruitment of at least fifty per cent. of Indians to Indian Police Service.	Proceedings sent to the Government of India.
3. December 12, 1922.	Withdrawal of additional police from certain places.	Police were about to be withdrawn from all places but one, and Government gave the commissioner discretion to withdraw them from that place also.
4. January 29, 1923.	Abolition of post of circle inspector.	Thirty-nine posts were later abolished as a measure of economy.
5. February 1, 1923.	Grant of copies of police reports to persons concerned in certain cases.	No action.
6. March 22, 1923.	Appointment of Indians as inspectors and superintendents of Railway Police.	There was no bar to appointment as superintendent. Government removed bar to appointment as inspectors.
<i>(b) Defeated.</i>		
7. March 12, 1921.	Punishment of men guilty of firing in an agrarian riot and disapproval of action of district officer and superintendent of police.	No action.
8. January 31, 1922.	Punishment of police officers for action taken in a riot in Meerut.	No action. Government had had enquiry made by a committee.
9. December 16, 1924.	Appointment of a committee to enquire into communal riots and suggest measures to prevent recurrence.	No action.

CHAPTER VIII.

JAIL DEPARTMENT.

142. The Jail department is administered by an inspector-general of prisons under the Home Member of the executive council. There are forty-four district and six central jails in the province. The average daily jail population was 25,164 in 1921. It has risen year by year, with a set-back in 1924, to 31,140 in 1927. This increase, large as it is, would have been still larger but for the fact that there were special jail deliveries in 1922, and again in 1926, and that the sentences of all long-term prisoners are reviewed from time to time by revising boards which were first set up in August 1922. One important cause of the increase is the stoppage of transportation to the Andaman islands which took effect from 1922.

**Organiza-
tion.**

143. The Indian Jails Committee made a comprehensive examination of conditions in Indian jails during the years 1918-19, and made many recommendations for their improvement. During the period 1923-27 the jail administration in this province has been thoroughly overhauled and effect has been given to such of the recommendations of the committee as did not involve much new expenditure. In the same period the jail industries have been completely reorganized, the main industries have been localized in special jails and the whole system placed on a much more satisfactory footing. All this has been done in spite of the fact that the period has been one of very considerable strain on the department. The non-cooperation campaign in 1921-22 filled the jails with a new type of prisoners whose treatment gave rise to new and difficult problems. The stoppage of transportation in 1922 has resulted in a steadily rising jail population and also in the confinement in provincial jails of a very much larger number of dangerous prisoners. Money has been scarce. The Jail department has received barely enough for its existing needs, and nothing for expansion, and in consequence the pressure on the jail accommodation and on the inadequate staff has become increasingly severe. The demand for jails put before the legislative council in 1921 was 34·04 lakhs. That put before the council in 1927 was 34·18 lakhs; in the present year it had risen to 37·94 lakhs, but a considerable part of this increase is due to the transfer of expenditure on works from the Public Works budget. In the meantime the jail population had increased by nearly 5,000 prisoners, the cost

**Administra-
tive review.**

of whose maintenance amounted to almost five lakhs. Only the exercise of the most rigid economy, improved methods for the supply of clothing and for the purchase of grain, and the fall in grain prices since 1921 have enabled the department to carry on without further increase of expenditure. The cost per head of a prisoner in this province in 1926 was Rs. 97. In other provinces it varied from Rs. 186 to Rs. 116. This result has been achieved without in any way reducing the amenities of the prisoners, these have in fact been increased rather than diminished; and the death rate has fallen from 14.6 per thousand in 1922 (1921 was a specially unhealthy year with a death rate of 21.4) to an average of 11.6 for the years 1923 to 1926. There are, however, now several projects of real urgency that cannot with safety be postponed much longer. The Home Member in referring to the desire expressed by some members of the legislature in the course of the budget discussion on March 25, 1927, that a more generous scale of clothing should be allowed to prisoners observed: "if the Finance department could give us money, and if my honourable friends, the ministers, would be a little more generous towards reserved departments and allow me to get something for my department. I think the proposal could be given effect to." On the previous day the Home Member had referred to the attitude of the legislature towards the jail budget in these words: "I do not think it is right for honourable members of this House to blow hot and cold in the same breath. They say you should give better diet, you should try to introduce new reforms, and still they want to make substantial cuts in the jail budget." These quotations illustrate the difficulties of the department in the matter of money. It has got barely enough from Government for existing necessities, and the legislature, far from pressing Government to provide more money, has on the contrary given the impression that it would prefer to see less rather than more spent on the department. The inspector-general brought the need for a new central jail to the notice of Government as long ago as 1921. It has not yet been provided. A new jail for habitual juveniles is also urgently needed. The paid warder staff is quite inadequate. The jails committee pointed this out nearly ten years ago; a serious deficiency still remains. A recent serious outbreak in the Allahabad Central Jail was due at least to some extent to the inadequacy of the staff. Experts are greatly needed for the improvement of jail industries. The department has in fact not received its due share of money for new expenditure since 1921 and in consequence its urgent needs have been accumulating.

144. The legislative council has shown considerable interest in the department by means of resolutions, budget motions and questions. The amount of this interest is due to two special causes:—

Attitude
of the
legislature

(1) The jails committed provided members with a large amount of ammunition with which to bombard Government;

(2) a certain number of the members of the last two councils had personal experience of jail life in 1921-22, and for that reason considered themselves particularly well fitted to advise Government on all questions concerning jails.

In the course of the budget discussion on January 25, 1927, one of these members criticised the department for undertaking the revision of the jail manual without non-official help and said: "there are seven or eight honourable members of this House who have been in jail, and these members would have made excellent rules had they been in charge of the revision." The council, as a whole, has been reasonable in its attitude to the department and there has on more than one occasion been recognition of its efficient administration. If there is cause for complaint, it is that a large section of the council has at times shown itself apt to be swayed by sentiment rather than by reason. A good illustration of this is its attitude to the transfer of some convict members of the criminal tribe of *Bhantus* to the Andaman islands with a view to their settlement with their family there as colonists. Strong opposition was shown to the transfer, even although it had not been forced on the *Bhantus* but was effected with their approval, and gave these unfortunate people a chance of a new start in favourable conditions. The same attitude is shown whenever the treatment of prisoners has been discussed. Much sympathy has been showered on the prisoners with little recognition of the fact that they have been sent to jail to expiate their crimes and not for a rest cure. There has been strong pressure on Government entirely to abolish whipping as a jail punishment, and to increase the amenities of prisoners, though on March 3, 1922, the Council gave very short shrift to a suggestion that prisoners should be supplied with tobacco. The power of religious feeling combined with sentiment was responsible for the defeat of Government by 53 votes to 25 on March 25, 1927, as a protest against their refusal to give extra diet and specially light work to prisoners during such festivals as *Ramzan*. The same influences were responsible for the censure on Government's policy in using the agency of the Salvation Army for the reclamation of the criminal tribes, although Government explained that their

offer, first made in 1911, to employ the agency of any suitable indigenous organization was still open. Religion again is responsible for the constant pressure on Government to provide religious instructors for all jails. Racial feeling has given rise to several discussions on the difference in the treatment of Europeans and Indians and council pressure has resulted in the removal of practically all such distinctions save in so far as on medical grounds they are unavoidable. The council cannot be altogether acquitted of the charge of confusing legislative and executive functions. It took much interest in prisoners convicted in connection with political movements and in 1922 and again in 1924 passed resolutions recommending their release. It has also devoted much attention to the classification of these prisoners for purposes of special treatment in jail. A section of the council has pressed for the appointment of an advisory committee for the Jail department. This demand was included in a resolution on jail administration discussed in the council on August 22, 1925, in addition to being made in a more general form in resolutions adopted by the council in December 1922 and March 1925. Government has so far resisted this pressure on the ground that the work of the department is mostly of such a nature that an advisory committee would be of no real assistance. Small matters of detail such as the clothing worn by prisoners, their scale of diet and particular forms of jail labour have received a considerable amount of attention. There has, however, been a regrettable absence of constructive proposals on broad questions of policy such as, for example, the treatment of juveniles and the care of prisoners after release. The influence of the council can be seen in the following changes introduced in recent years :—

- (1) The revision of the jail manual;
- (2) the grant of extra holidays to prisoners;
- (3) improvement in dietary;
- (4) amelioration in certain forms of labour;
- (5) better arrangements for female prisoners and increase of the female warder staff;
- (6) the provision of religious books for jail libraries;
- (7) the supply of rosaries to Muhammadans and *janeos* to Hindus when necessary; and
- (8) concessions to Muhammadans during the month of *Ramzan*.

The Government have also decided to appoint a committee to examine and report on jail administration in this province.

145. The legislative council has made no important reductions in the demands for jails placed before it each year, and the Governor has not made use of his powers of restoration. There has been no legislation affecting the department.

Budget and
legislation.

146. The staff of the department has been rapidly Indianized, of six superintendents of central jails three are at present Indians, two are Anglo-Indians, and only one is a European officer. Recruitment of Europeans for the subordinate service (jailors) has been entirely stopped. It is too early to judge of the effects of this Indianization.

Indianization.

JAIL DEPARTMENT.

Statement showing the action taken by Government in resolutions adopted by the Legislative Council during 1921—27.

Date.	Subject.	Action taken by Government.
1. October 26, 1922.	General amnesty for political prisoners.	A considerable number of persons convicted of offences connected with political movements were released.
2. October 27, 1922.	Non-official visitors for district and central jails.	Non-official visitors for appointed.
3. October 26, 1923.	Whipping in jails	No action taken.
4. April 3, 1924.	Release of Musammat Parbati Devi.	The prisoner was released.
5. September 10, 1924.	Release of political prisoners	Certain prisoners were released some months later.
6. September 10, 1924.	Treatment of political prisoners.	No action taken.
7. December 15, 1924.	Release of prisoners convicted in the Gonda Muharram riot case.	No action taken.
8. August 22, 1925.	Appointment of committee to revise the jail manual, removal of racial distinctions and appointment of standing jail committee.	Jail manual revised. Committee to examine and report on jail administration is going to be appointed.

Statement showing the action taken on resolutions defeated or withdrawn on an assurance from Government during 1921 to 1927 :—

Date.	Subject.	Action taken by Government.
<i>(a) Defeated.</i>		
1. March 3, 1922.	Abolition of rule forbidding smoking in jail.	No action taken.
2. April 1, 1922.	Release of certain political prisoners whose cases had been examined by a special officer.	Ditto.
3. January	Religious instruction in jails	Government give facilities for instruction by private persons.
<i>(b) Withdrawn.</i>		
4. March 2, 1922.	Treatment of political prisoners.	Instructions issued to district magistrates to consult M. L. C.'s about classification.
5. September 10, 1924.	Establishment of a special jail for better class prisoners.	No action taken. Question will be considered later.

CHAPTER IX.

ADMINISTRATION OF JUSTICE.

147. The administration of justice is controlled by the High Court at Allahabad and the Chief Court at Lucknow. The subject is in the portfolio of the Home Member of the executive council. The judiciary, apart from the Judges of the High and Chief Courts consists of district and sessions judges, sessions and subordinate judges, subordinate judges, small cause court judges, munsifs, and magistrates. The constitution of the High and Chief Courts is determined by statute, and the judges are appointed from the Bar, the Indian Civil Service, and the United Provinces Civil Service, Judicial branch. There are nineteen judicial divisions in the province of Agra and six in the province of Oudh, each under the charge of a district and sessions judge, whose time is largely taken up with the trial of sessions cases and with criminal and civil appeals. When the work of a division is too heavy for one judge an additional judge is appointed. Sessions and subordinate judges do criminal and civil work, both original and appellate. Subordinate judges have civil jurisdiction only, except when invested, as they sometimes are, with the powers of an assistant sessions judge. As civil judges they hear original cases as well as appeals from munsifs. There are nine whole-time courts of small causes presided over by experienced officers of the standing of subordinate judges and like them often invested with criminal jurisdiction. One hundred and forty-nine munsifs preside over the lowest civil courts. On the criminal side most of the original work is disposed of by magistrates who may have first, second or third-class powers. First-class magistrates may also be empowered to hear appeals from magistrates with lesser powers. The magistrates work under the orders of the district magistrate, who himself does very little original criminal work, but hears appeals from second and third-class magistrates in addition to supervising the work of all the magistrates subordinate to him.

The courts.

148. District and sessions judges are ordinarily members of the Indian Civil Service, but eight of these judgeships are open to and seven are at present held by promoted members of the United Provinces Civil Service, while on January 1, 1928, owing to the shortage of Indian Civil Service officers, thirteen other members of the United Provinces Service were acting as judges or additional judges. One district and sessions

Judicial officers.

judge was appointed direct from the Bar. Sessions and subordinate judges are appointed from the Indian Civil Service and the United Provinces Civil Service. Subordinate judges and munsifs are all members of the latter service. The stipendiary magistrates are members of the Indian Civil Service or the United Provinces Civil Service, Executive branch. A very large amount of criminal work is, however, done by honorary magistrates sitting either singly or as benches. In the year 1926 honorary magistrates sitting singly heard cases involving 110,126 accused persons and sitting as benches cases involving 85,578, a total of 195,704 persons. In Oudh they disposed of no less than 58 per cent. of the total number of criminal cases; while in Agra the number of persons tried by them was only slightly less than the number tried by stipendiary magistrates. Honorary magistrates have their weaknesses and the work of their courts is not always of as high a standard or as expeditious as Government would like, but the figures speak for themselves, and both the High Court and the Chief Court have repeatedly borne testimony to the valuable assistance derived from this unpaid agency. Honorary munsifs are not so numerous and do not dispose of anything like the same proportion of civil cases as honorary magistrates of criminal cases. In the year 1926 honorary munsifs disposed of 19,391 cases, sitting either singly or as benches.

important
events.

149. In the administration of civil justice the events of importance since 1921 have been the following :—

(1) *Increase in the number of High Court judges.*—In 1923 the High Court at Allahabad was strengthened by the appointment of two additional puisne judges which raised the number of permanent judges to nine. The work of this Court is heavy and even with this increase in permanent strength and the appointment of two temporary judges there is still very serious delay in the disposal of civil appeals.

(2) *Increase in the cadre of the United Provinces Civil Service, Judicial branch.*—The cadre of this service had for long been insufficient to cope with the volume of work and a much needed addition of strength was made in 1924, when the cadre was raised from one hundred and seventy-one to two hundred and seven.

(3) *Transfer of civil jurisdiction in Kumaun to the control of the High Court in Allahabad.*—It was inevitable that, with the development of political consciousness, dissatisfaction should arise with the system of civil justice in Kumaun which was a relic of the non-regulation days. In deference to

public opinion, expressed in the legislative council and elsewhere, Government has taken steps to bring Kumaun more into line with other parts of the province. The officers of the Revenue department have not been deprived of their original jurisdiction, but appeals from their decisions now lie to the district judge, who has been placed in the same position as a district judge elsewhere in regard to all suits instituted on or after April 1, 1926. The commissioner remains the High Court in regard to civil suits and proceedings instituted before April 1, 1926; but in regard to all later suits and proceedings the High Court at Allahabad has become the High Court for Kumaun. Government has not yet seen its way to establish regular civil courts of sub-judges and munsifs in Kumaun. The change will be an expensive one; the present system is not altogether unsuited to the special conditions of these hill tracts, and the High Court have stated that they require time before they can form any considered opinion as to the need for change.

(4) *The establishment of a Chief Court of Oudh.*—There had for long been dissatisfaction in Oudh with the arrangement which provided a High Court at Allahabad and only a Judicial Commissioner for Oudh at Lucknow. This was a heritage of non-regulation days, which with the passage of time came to be regarded as unsuited to modern conditions. The first Home Member of the executive council was a leading taluqdar of Oudh, and he had the satisfaction of seeing the Judicial Commissioner replaced by a Chief Court during his tenure of office. In order to test the opinion of the legislative council this Government, at the request of the Government of India, brought this question before it in the form of a resolution on January 31, 1923. The proposal met with strong opposition from some members of the liberal party resident in the province of Agra, but the council gave its approval by the large majority of 43 votes to 20. One minister spoke and voted in favour of the proposal; the other minister showed his disapproval by taking no part in the division. The next step was to introduce the necessary legislation and this was taken on September 5, 1924. The bill was at once referred to a select committee. The council took it into consideration on March 5, and passed it on March 7, 1925, with one important amendment which was unacceptable to Government. The clause in the bill regulating the appointment of judges was so framed that ordinarily three out of the five judges of the court would be Indians, but the council was not satisfied with this and introduced into the bill a proviso which prescribed

in definite terms that the number of Indian judges should at no time be less than three-fifths of the number of judges constituting the court. The Governor, in the exercise of his powers under sub-section (1) of section 81A of the Government of India Act, returned the bill to the council for reconsideration of the proviso and with the suggestion that the council should omit it on the grounds that—

(i) the legislature in England and in India had hitherto consistently refused to recognize race as a qualification or a disqualification for office;

(ii) that the council's object was already practically secured by the provisions of the bill; and

(iii) that this proviso would form a very dangerous precedent.

The council by a substantial majority accepted the Governor's suggestion. The bill became law, and the Chief Court of Oudh came into being on November 2, 1925. There are many who advocated that the establishment of a Chief Court of Oudh was unnecessary and that it would have been preferable to meet the aspirations of the people of Oudh by extending the jurisdiction of the High Court at Allahabad to include the province of Oudh. The Governor in Council is satisfied that this would have been a mistake. The volume of litigation in an Indian province with a population of over forty-five million people requires so many subordinate courts that it is for the benefit of the people of the province that jurisdiction is divided and thereby supervision over subordinate courts made much more effective.

(5) *The Report of the Civil Justice Committee.*—This committee was appointed by the Government of India in 1924 and submitted its report in 1925. It made numerous recommendations aimed at the improvement of the administration of civil justice throughout India. This Government and the High and Chief Courts have devoted much time to the consideration of these recommendations and have taken action wherever they found such action financially possible and likely to conduce to the better or more expeditious administration of justice or the convenience of litigants.

**In Jury
system.**

150. In the sphere of criminal jurisdiction there have been no developments of special importance. Mention should, however, be made of the demand for an extension of the system of trial by jury and of the steps taken by Government to meet that demand. On April 4, 1921, the legislative council discussed a resolution recommending Government to extend the system of trial by jury to all offences which are

tried before a court of sessions throughout the United Provinces. The mover ultimately withdrew the resolution on Government giving an assurance that they were prepared to appoint a committee to go into the matter. The committee, which was presided over by the Judicial Commissioner for Oudh and was composed of the Legal Remembrancer to Government and four non-official lawyers, submitted its report in 1923. It recommended—

- (1) The extension of the system of trial by jury to sixteen districts in addition to the three districts in which it was already in force; and also
- (2) the application of the system to a much larger category of cases than it was applied to in those districts in which it was already in force.

These recommendations were frankly in opposition to the weight of evidence submitted to the committee, and were dissented from by the Legal Remembrancer to Government. Judges (including judges of the High Court) and magistrates were practically unanimous in their opposition to any extension of the system. Government were thus placed in a position of considerable difficulty, and ultimately decided to make only a cautious advance. The system was extended to three new districts in different parts of the province from January 1, 1925, and at the same time the category of cases triable by jury was extended both in the districts in which the system had previously been in force and in those to which it was for the first time being applied.

151. One change in judicial practice which the legislative council has repeatedly pressed on Government, namely, the separation of judicial from executive functions has not so far been effected. It is well known that magistrates besides being judicial officers, also have important executive functions. At one time the administration of justice in civil, revenue, and criminal cases was in the hands of officers who exercised executive powers. This union was not initiated by the British Government. It was part of an Indian administration. At present it is only in the hill tracts and a portion of the Mirzapur district that executive officers exercise civil jurisdiction. Elsewhere, however, they still retain jurisdiction in criminal and revenue cases. This is an old question which has been before the country from the time of the first meeting of the Indian National Congress. It was not long in coming before the first reformed legislative council, and it has formed the subject of no less than five separate resolutions since 1921. The Government as then constituted had

Separation
of judicial
and
executive
functions-

accepted the principle of separation even before the first resolution was submitted to the council, and they appointed a committee under a High Court judge to formulate a scheme under which the union of judicial and executive functions in a single person should ordinarily cease. That committee submitted its report in October, 1921. Government generally accepted the committee's proposals, and early in 1923 submitted their recommendations to the Government of India for the sanction of the Secretary of State. So far as this Government is concerned, the matter has rested there. It is obvious that any changes in the general criminal law or procedure involve considerations of other than a provincial character.

**Attitude
of the
legislature.**

152. The High Court have in their annual reports repeatedly called attention to the need for the allotment of more money to the department of justice, particularly for the improvement of court buildings throughout the province. There is admittedly great room for the improvement of these buildings and there are also other directions in which money could profitably have been spent, though, in fact, this department has fared better in the allocation of the available resources than some other reserved departments. The grant for the administration of justice in 1921 was 66·74 lakhs, and by 1923 it had risen to 73·80 lakhs. The legislative council has shown considerable interest in this grant from year to year and has dealt with it in a reasonable manner, even if it has shown a tendency to discuss the same questions along exactly the same lines year after year. The questions in which it has shown most interest have been those with a racial, service, or special local flavour. The appointment of Indians as registrar and deputy registrar of the High Court, the appointment of more provincial service officers to district and sessions judgeships, the location of a judge or a subordinate judge or a munsif at a particular place, these are the types of subjects that have been discussed on many occasions. The only issue on which Government were defeated was partly racial and partly service, namely, the position of the assistant to the Legal Remembrancer to Government; while on another occasion, when Government only escaped defeat by the President's casting vote, the issue was also partly racial and partly service.

Resolutions.

153. Reference has already been made to the more important resolutions relating to justice which have been moved in the legislative council. There is little to be added. In all seventeen resolutions relating to civil justice and three to criminal justice have been moved. Of the former five concerned the separation of executive and judicial functions and four

related to the desirability of locating a judge or a munsif at a particular place. The action taken by Government on each of the resolutions is shown in the statement appended.

Statement showing the action taken by Government on resolutions adopted by the legislative council.

Date of the proceedings.	Subject.	Action taken.
1. March 2, 1921.	Location of subordinate judge's court at Fatehpur.	The court has been permanently located at Fatehpur.
2—6. April 6, 1921. October 26, 1923. February 27, 1924. September 10, 1924. November 1, 1927.	Separation of judicial and executive functions.	Government of India have been addressed in the matter.
7. January 31, 1923.	Establishment of Chief Court for Oudh.	Chief Court has been established.
8. December 16, 1924.	To bring Kumaun under the civil jurisdiction of the High Court.	Kumaun has been brought under the civil jurisdiction of the High Court from April 1, 1926.
9. December 18, 1925.	Removal of Kumaun from the operation of the Districts Act.	A committee was appointed and its report is under consideration.
10. April 8, 1926.	Removal of Baghat Munsifi from Ghaziabad to Baghat.	High Court addressed in the matter. They have taken certain action to meet the wishes of the public.
11. November 3, 1927.	Location of the Baghat Munsifi.	Copy forwarded to the High Court for expression of opinion.
12. November 3, 1927.	Permission to mukhtars and revenue agents of Agra to practise in Oudh courts.	Copy forwarded to Chief Court for such action as it may think desirable.
13. December 13, 1922.	Educational test for honorary magistrates and honorary assistant collectors.	Instructions issued to commissioners.
14. January 30, 1924.	Discontinuance of practice of obtaining opinion of trying magistrates in cases under section 110, Cr. P. C.	The recommendation of the council was given effect to.

Statement showing the action taken by Government on resolutions withdrawn by the legislative council.

Date of the proceedings.	Subject.	Action taken.
1. February 21, 1921.	Provision of benches in courts for litigants.	Necessary funds could not be provided.
2. August 8, 1921.	Vacation of civil courts ..	Vacations altered to May and June both in Agra and Oudh, but subsequently High Court reverted to old arrangement of vacation in September and October.
3. December 7, 1921.	Disagreement between the district judge of Hardoi and the local Bar.	Amicably settled.
4. March 31, 1922.	Permanent judge at Fatehpur .	Permanent judge posted at Fatehpur.
5. January 30, 1923.	Grant of enhanced power to munsifs.	Proceedings forwarded to the High Court and Judicial Commissioner.
6. April 4, 1921.	Extension of jury system ..	The jury system has been extended to three more districts.

CHAPTER X.

GOVERNMENT PRESS.

154. The main office of the Government Press is in **Introductory,** Allahabad. There are branch presses at Lucknow, Naini Tal, and Naini Jail, Allahabad. The department is a reserved one under the direct control of the Superintendent, Government Press, and is under the Home Member of the executive council.

155. The work of the department has been very little affected by the reformed system of Government. The wider franchise has involved a much larger expenditure on printing in connection with elections to legislative bodies. The separation of provincial from imperial finances has resulted in—

Effect of the Reforms.

- (a) the Government of India paying for work done in the provincial press on their behalf, and
- (b) provinces paying for publications of the Government of India and other local Governments.

The former result is to the advantage of this province. The latter has involved an increase in clerical labour in the Press but no appreciable financial effect. The provincialization of the Indian Law Reports has been of distinct benefit to this province. Previously any Government book dépôt accepted subscriptions at a reduced inclusive rate for the whole series. Sales were naturally much larger in places like Calcutta than Allahabad, with the result that the Government of Bengal benefited at the expense of this province. Subscriptions are now accepted at each dépôt for its own series only and at full rates, with the result that the income from this head has more than doubled.

156. The Reforms Enquiry Committee recommended that the Government Press should be made a transferred subject. The Governor in Council as constituted in 1925 was not opposed to this proposal on the merits but thought that minor changes of this kind, which were of small administrative effect and no political value, should not be made.

Transfer proposed.

CHAPTER XI.

INDUSTRIAL MATTERS.

Factories and factory labour. 157. Industrial matters under the following heads are reserved subjects:—

- (a) factories;
- (b) settlement of labour disputes;
- (c) electricity;
- (d) boilers;
- (e) gas;
- (f) smoke nuisances;
- (g) welfare of labour including provident funds, industrial insurance and housing.

The more important of these in this province are (a), (b), (c) and (g). The number of registered factories in the province rose from two hundred and eighteen in 1921 to three hundred and thirty-five in 1926, but of the latter as many as one hundred and thirty-four were purely seasonal factories, mostly cotton gins. The average number of daily labourers was 68,172 in 1921 and 85,517 in 1927. The number of women and children employed in 1927 was 6,645 and 1,770. In two hundred and thirty-six factories the hours of labour exceeded fifty-four per week, while in fifty-two factories they were not more than forty-eight. The average wage of skilled men varied in 1926 from Rs. 42 per month in the case of fitters down to Rs. 16 in the case of oil men, and of unskilled from Rs. 18 to Rs. 14, and in the case of women to Rs. 11.

Factory inspectorate. 158. There is a chief inspector of factories. This officer is the only whole-time factory inspector. The boiler inspectors, of whom there are three, also inspect factories, while all district magistrates, a certain number of sub-divisional magistrates and some officers of the Public Health department have been made *ex-officio* factory inspectors. The factories are scattered and control over the outlying ones is difficult to maintain. The paid inspectorate is inadequate, and the department, being a small one, and also reserved, is apt to be overlooked in the competition between the larger reserved and the transferred departments for what funds are available.

Factory legislation 159. The most important feature of the period since 1921 has been the passage of certain Acts by the Indian legislature. The Indian Factories (Amendment) Act of 1922 widened the definition of the term "factory," restricted more narrowly the employment of children, and aimed at the improvement

of the conditions of labour generally by means of regulations regarding the hours of labour and the provision of a weekly holiday. The Workmen's Compensation Act of 1923 and the Indian Trade Union Act of 1926 are other important pieces of industrial legislation.

160. There have been few serious labour disputes in this province. Labour is still largely lacking in organization, even in Cawnpore which is the chief industrial centre. The labour problems of the province are small compared with those of Bombay or Bengal, and there is no special machinery for dealing with them or for collecting information in regard to them.

**Labour
disputes.**

161. Quite a number of the larger factories provide accommodation for their workers and many of them look after the welfare of their employees in other ways, for example, by the provision of medical attendance, or in the alternative by subscribing to hospitals and dispensaries, and by the provision of schools for the children of workers. Some mills have established crèches under competent nurses in which the women workers can leave their children with the knowledge that they will be well looked after and provided with free milk or food and in some cases also with clean clothes. One large concern in Cawnpore has given a lead in welfare work by spending large sums on the care of its workers and by placing its welfare work under the supervision of a competent superintendent. It provides schools and pays for the teachers, maintains settlements for the employees in a comfortable and sanitary condition, provides maternity treatment as well as general medical attendance, and crèches of the children, and also arranges for recreation for the workers during their leisure hours.

**Welfare
work.**

162. Electrical development was only in its infancy at the beginning of 1921. Several schemes had been held up owing to the difficulty of obtaining the necessary machinery during and immediately after the war. Development has been rapid in recent years. There are now eleven towns supplied with electricity. In two other towns electric supply schemes are at present in process of installation. As has already been mentioned in the account of the Irrigation department hydro-electric schemes for the supply of several towns are at present under consideration, and in addition licenses have already been issued or are under consideration, for the supply of electricity by private companies to a number of other towns. Now that a good start has been made continuous development can be confidently expected.

Electricity.

PART VI.
THE LEGISLATURE.

163. The Government of India Act prescribed that the number of members of the United Provinces Legislative Council should be one hundred and eighteen, but made provision for the increase of that number by rule provided that at least seventy per cent. of the members were elected and not more than twenty per cent. were officials. The constitution of the council as prescribed by statutory rules is as follows:—

- (1) the members of the executive council *ex-officio*,
- (2) one hundred elected members,
- (3) such number of persons nominated by the Governor as, with the addition of the members of the executive council, shall amount to twenty-three: of the members so nominated—
 - (a) not more than sixteen may be officials, and
 - (b) three shall be persons nominated to represent the following classes or interests—
 - (i) the Anglo-Indian community,
 - (ii) the Indian Christian community,
 - (iii) classes which in the opinion of the Governor are depressed classes.

The Governor is also empowered by the Act to nominate, in addition to the members above mentioned, two members with special knowledge or experience of the subject matter of any bill. Of the elected members, ninety are elected by general constituencies, of which seventy-seven are rural and twelve urban, while one (the European) extends to the whole province. The remaining ten members are elected by special constituencies, six by landholders, three by chambers of commerce and one by the Allahabad University. The general constituencies are of a communal nature, viz.,—

- (1) non-Muhammadan,
- (2) Muhammadan, and
- (3) European,

there being sixty non-Muhammadan (fifty-two rural and eight urban) and twenty-nine (twenty-five rural and four urban) Muhammadan, and one European. The special constituencies all have mixed electorates. Of the landholders' representatives four are elected by the British India Association, which

is the organization of the taluqdars of Oudh, and two by those landholders of the province of Agra who own land in respect of which revenue amounting to not less than Rs. 5,000 is payable or would be payable if the land were not held free of revenue. The Upper India Chamber of Commerce elects two members and the United Provinces Chamber one member. The franchise in the university constituency is confined to members of the court, the executive council and the academic council, doctors, masters and graduates of seven years' standing. In the European constituency the franchise includes all who would be qualified to vote in a rural or urban constituency and have a residence within the province.

Basis of the franchise.

164. The general proposals for the franchise made by the Franchise Committee in 1919 were based on the principle of residence within the constituency and the possession of certain property qualifications as evidenced by the payment of land revenue or rent in rural areas, of municipal rates in urban areas and of income-tax generally. The committee recommended separate electoral rolls and separate constituencies for non-Muhammadans and Muhammadans. As an exception to the general principle the committee proposed the enfranchisement of all retired and pensioned officers of the Indian Army irrespective of any property qualifications. Acting on these general proposals the Governor-General in Council with the sanction of the Secretary of State in Council made rules in which the qualifications of an elector for a general constituency were based on—

- (1) community,
- (2) residence,
- (3) (a) ownership or tenancy of a building, or
(b) assessment to municipal tax, or
(c) assessment to income-tax, or
(d) receipt of a military pension, or
(e) the holding of land.

**Qualifications :
(1) Urban
constituencies.**

165. The qualifications are prescribed in these rules are :—

(i) A person shall be qualified as an elector for an urban constituency who—

(1) has a place of residence in the constituency or within two miles of the boundary thereof, and

(a) is, in any place in the area aforesaid in which a house or building tax is in force, the owner or

tenant of a house or building of which the rental value is not less than Rs. 36 per annum; or

(b) was, in an area in the constituency in which no house or building tax is in force, assessed in the previous year to municipal tax on an income of not less than Rs. 200 per annum; or

(c) is, in any area in the constituency in which neither a house or building tax nor a municipal tax based on income is in force, the owner or tenant of a house or building of which the rental value is not less than Rs. 36 per annum; or

(d) has within the constituency any of the qualifications, based on the holding of land hereinafter prescribed for an elector of a rural constituency; or

(2) has a place of residence in the constituency, and

(a) was in the previous year assessed to income-tax; or

(b) is a retired, pensioned or discharged officer, non-commissioned officer or soldier of His Majesty's regular forces.

(ii) A person shall be qualified as an elector for a rural constituency who has a place of residence in the constituency and **(ii) Rural constituencies.**

(a) is, in an urban area included in the constituency in which a house or building tax is in force, the owner or tenant of a house or building of which the rental value is not less than Rs. 36 per annum;

(b) was, in an urban area included in the constituency in which no house or building tax is in force, assessed in the previous year to municipal tax on an income of not less than Rs. 200 per annum; or

(c) is, in an urban area included in the constituency where neither a house or building tax nor a municipal tax based on income is in force, the owner or tenant of a house or building of which the rental value is not less than Rs. 36 per annum; or

(d) is the owner of land in the constituency in respect of which land revenue amounting to not less than Rs. 25 per annum is payable; or

- (e) is the owner of land in the constituency free of land revenue, if the land revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same, either alone or together with any land revenue payable by him as owner in respect of other land in the constituency, amounts to not less than Rs. 25 per annum; or
- (f) being a resident in the hill pattis of Kumaun, is the owner of a fee-simple estate or is assessed to the payment of land revenue or cesses of any amount or is a khaikar; or
- (g) being in the constituency a permanent tenure holder or a fixed rate tenant, as defined in the Agra Tenancy Act, 1901, or an under-proprietor or occupancy tenant, as defined in the Oudh Rent Act, 1886, is liable to pay rent as such of not less than Rs. 25 per annum; or
- (h) (i) being in the constituency a tenant as defined in the Agra Tenancy Act, 1901, or the Oudh Rent Act, 1886, other than a sub-tenant holds land as such in respect of which rent of not less than Rs. 50 per annum or its equivalent in kind is payable; or
- (ii) in areas in the United Provinces in which the Agra Tenancy Act, 1901, or the Oudh Rent Act, 1886, is not in force, holds land as a tenant in respect of which rent of not less than Rs. 50 per annum or its equivalent in kind is payable; or
- (i) was in the previous year assessed to income-tax; or
- (j) is a retired, pensioned or discharged officer, non-commissioner officer or soldier of His Majesty's regular forces.

Disqualifications.

166. It should be added that certain general disqualifications were also prescribed. These were that no person who—

- (a) is not a British subject, or
 - (b) is a female, or
 - (c) has been adjudged by a competent court to be of unsound mind, or
 - (d) is under 21 years of age,
- shall be entitled to be entered on the electoral roll. The

rules give to the local Government power to alter these disqualifications in two respects—

- (1) by withdrawing the disqualification of nationality in the case of rulers and subjects of Indian States; and
- (2) by withdrawing the disqualification of sex if the legislative council had previously passed a resolution recommending such withdrawal.

This Government was enabled by a resolution passed in the legislative council on February 1, 1923, to make use of this power to remove the disqualification based on sex, and females were admitted to the electoral roll before the 1923 elections.

167 The Franchise Committee estimated that the general qualifications suggested by them would yield an electorate of 1,483,000 out of a population of male adults over twenty years of age numbering 13,345,757, of whom 1,186,973 were returned as literate. The number of electors to the pre-reform legislative council was only 2,774, of whom, 2,306 were Muhammadans and landholders, who returned six members by direct election, and the remaining 468 were members of district and municipal boards who return thirteen members. The first electoral roll under the new rules was drawn up in 1920 and the number of voters placed on it was 1,347,922. By 1923, when the second elections took place, the disqualification of females had, as already noted, been removed and the number of voters increased to 1,509,127, of whom 49,067 were females. The number of male voters had thus risen to very nearly the figure estimated by the Franchise Committee. It was actually only about 23,000 less. The third elections were held in 1926 and in that year the roll had increased to 1,598,996, of whom 51,056 were females. There has therefore been an increase of approximately 251,000 voters since 1920, of whom just over 51,000 are females. These figures are given in tabular form below :—

Number of voters.

	<i>Males.</i>	<i>Females.</i>	<i>Total.</i>
1920.. ..	1,347,922	..	1,347,922
1923.. ..	1,461,051	49,076	1,509,127
1926.. ..	1,547,940	51,056	1,598,996

168. These figures repay some further analysis. The number of voters in urban constituencies rose from 77,115 in 1920 to 116,886, that is by fifty-three per cent., in 1923; and to 151,445, that is by a further twenty-nine per cent., in 1926. The increase in the rural voters was proportionately very markedly less. Their number rose from 1,264,101 in

Reasons for increase.

1920 to 1,383,315 in 1923, that is by about nine and a half per cent. and to 1,437,469 in 1926, that is by almost another four per cent. These figures are also shown in tabular form in the following statement:—

	<i>Urban.</i>	<i>Increase per cent.</i>	<i>Rural.</i>	<i>Increase per cent.</i>
1920 ..	77,115	..	1,564,101	..
1923 ..	116,886	53	1,383,315	9·4
1926 ..	151,445	29·5	1,437,469	3·9

This lack of proportion in the increase in the rural and urban constituencies suggests the principal causes of the increase. In the towns there is more interest in politics and the value of the franchise has clearly been appreciated to a greater degree than in the villages. This is borne out by the larger number of claims for registration in urban constituencies. Again, the urban franchise is to a large extent based on the rental value of buildings, and rents have undoubtedly been enhanced to meet the general rise in prices. The enhancement of land rents is a much less simple matter than the enhancement of house rents and there is little doubt that house rents have more nearly kept pace with the general rise in prices than land rents with the result that proportionately more new persons in towns have acquired the necessary qualifications for admission to the electoral roll. The extension of the franchise to women has of course accounted for an appreciable portion of the general increase, but is in no way responsible for the greater increase in the urban areas. Apart from these special reasons for increase, there is little doubt that the rolls have become increasingly accurate with revision.

**Electorate
compared
with
population.**

169. The present electorate of 1,598,996 is 3·5 per cent. of the total population of the province. The male electorate of 1,547,938 is 12 per cent. of the population of male adults of twenty years and over. The female electorate of 51,056 is 4 per cent. of the population of female adults of twenty years and over. The non-Muhammadan electorate of 1,379,754 is 3·6 per cent. of the total non-Muhammadan population. The non-Muhammadan male electorate of 1,336,140 is 12·2 per cent. of the population of non-Muhammadans male adults of twenty years and over.* The female electorate of 43,614 is 4 per cent. of the population of non-Muhammadan female adults of twenty years and over. The Muhammadan electorate of 229,258 is 3·5 per cent. of the total Muhammadan

* This figure has been arrived at by regarding all Europeans of over 15 years as being over 20 years as the figures for Europeans over 20 years are not included in the Census Tables.

population. The Muhammadan male electorate of 221,816 is 12·4 per cent. of the population of Muhammadan male adults of twenty years and over. The female electorate of 7,442 is 4 per cent. of the population of female Muhammadan adults of twenty years and over. The proportion of electors to population in all rural constituencies is approximately 3 per cent. and in all urban constituencies approximately 10 per cent. The proportion of female to total voters in the two communities is practically the same in the rural constituencies, 3·1 per cent. in the case of non-Muhammadans and 3·2 per cent. in the case of Muhammadans. In the urban areas women form 4·5 per cent. of the total number of Muhammadan voters and 3 per cent. of the total number of non-Muhammadan voters.

170. The franchise in this province has been criticized as too restricted and the Reforms Enquiry Committee was urged to widen it. The minority of that committee favoured this proposal, but the majority were unable to recommend any general modification. The existing franchise was deliberately limited to numbers which were considered manageable and, even so, it represented an enormous advance on the franchise in existence before 1921. There is, too, ample evidence to show that its value has not as yet been appreciated by the great majority of those who enjoy it. The whole question of the widening of the franchise will, however, be dealt with separately and in the present connexion it is only necessary to indicate the classes which are at present enfranchised. The great bulk of the electorate consists of small landholders and tenants who are thoroughly representative of the predominant interest of the province. The special position of the larger landholders has been recognized by the creation of two special electorates, one in Agra and one in Oudh. The peculiar position of the towns has been recognized by the separate representation given to the larger towns and by the greater value given to a vote in an urban as compared with that in a rural constituency. The main qualification in urban areas, namely, the ownership or occupation of a building of a rental value of Rs. 3 per month is low enough to enfranchise a very considerable proportion of the urban population. The labouring classes are not enfranchised as such and the depressed classes have been given representation by nomination. The position of both these classes in relation to the franchise is dealt with in a later paragraph.

Enfranchised classes.

Comparison with municipal franchise.

171. It is not altogether easy to compare the franchise for the legislative council with that for municipal and district boards. The municipal franchise varies from one municipality to another. Not only have different municipalities different qualifications, but in cases where the nature of the qualification is the same the limiting amounts vary greatly; for example, in the case of municipal taxes from Rs. 2 in one town to Rs. 36 in another, in the case of annual rental value of a building from Rs. 3 in one town to Rs. 300 in another, and in the case of annual income from Rs. 16 in one town to Rs. 120 in another. In many municipalities, however, where a house tax is in force, houses of an annual value of Rs. 36 are exempt, and it was this consideration which led to the ownership or occupation of a house of that value being made a qualification for the legislative council franchise. It would probably be correct to say that the municipal franchise, though in some towns as restricted as that for the legislature, in a majority of towns is somewhat more liberal.

Comparison with district board franchise.

172. The district board franchise bears more resemblance to that for the legislative council, and where the nature of the qualification is the same, for example, ownership of land and payment of rent, the limiting amount is also the same. The district board franchise is, however, wider in that it includes all persons who have passed the university matriculation or school-leaving certificate or equivalent examination, and also persons assessed to a tax on circumstances and property.

Claims for representation:

173. The present electorate was determined in 1919. Since then this Government have had to consider various claims for special representation.

(1) The new universities.

(i) The executive council of the Lucknow University in 1923 passed a resolution in favour of representation in the legislative council, and this Government, in replying to the university at that time, and also to a question in the legislative council in the following year, pointed out that the university was still in its early youth and that its claims to representation could hardly be regarded as on an equality with those of the older University of Allahabad. The matter has been raised in the legislative council on more than one occasion since then. On January 23, 1926 a resolution on the subject was moved, but roused so little interest that while the mover was still speaking the House was counted out. Government have adhered to their original view, and have also pointed out that since the electorates were determined by rules which required the approval of Parliament, it was desirable that the electorate should remain unaltered for a considerable period. In the present

year the executive council of the university passed a resolution similar to that of 1923, and this Government informed the council that they would submit the council's views for the consideration of the Indian Statutory Commission.

(ii) In para. 147 of the Report on Indian Constitutional Reforms the special position of the landed aristocracy was recognized and the need for inducing its members to enter the political arena, if necessary by special representation, emphasized. Such representation was given in this province by means of special electorates in Agra and Oudh, returning two and four members respectively. The larger representation was given to the Oudh taluqdars on the ground that they were a better organized and much more influential body than the landholders of the neighbouring province. The Franchise Committee, indeed, proposed that five seats should be given to Oudh and only one to Agra, but on the suggestion of the Government of India this was later modified to four and two. Sir Harcourt Butler in 1920 informed the Government of India that there could be "no doubt that in regard to their special representation in the new council landholders are disappointed as a class." On March 23, 1923 the legislative council adopted a resolution asking the Governor in Council to recommend to the Government of India that the representation of the Agra landholders be increased from two to four. This Government forwarded a report of the debate to the Government of India and at the same time intimated that the Governor in Council was in sympathy with the resolution. The Government of India replied that the Secretary of State had decided that the question must await a general revision of the franchise. A similar resolution was passed on December 19, 1924, but the Secretary of State adhered to his previous decision. In the same year the Reforms Enquiry Committee considered the matter and decided not to disturb the existing distribution of the seats. The Agra Zamindars Association again raised the question in an address to the Governor of this province in 1927. Since then that association has by legislation been placed in a position similar to that of the British India Association in Oudh, in this respect that Government now collect the subscriptions of its members along with the land revenue.

(iii) The representation of commercial and industrial interests in this province is shared by the Upper India and the United Provinces Chambers of Commerce. The former returns two members and the latter one. The distribution of this representation between the two chambers formed a subject of discussion between Sir Harcourt Butler and the Franchise Committee, in the course of which Sir Harcourt pointed out

(ii) The Agra landholders.

(ii) The U. P. Chamber of Commerce.

that the United Provinces Chamber was a new organization. was much less important than the Upper India Chamber, and controlled a comparatively small amount of capital. The two chambers could not in fact in his opinion be compared and he was opposed to them being given equal representation. When in 1923 the United Provinces Chamber made a reference to this Government claiming additional representation they refused to accept the criterion of the amount of capital controlled by the members of the two chambers and pointed out that the United Provinces Chamber had on its register members who represented on the whole a larger number of the various branches of the trade, commerce and industry of the province than the Upper India Chamber, and that the number of its members was ninety-eight as compared with the seventy members of the latter chamber. The point to which they attached greatest importance was, however, that the one seat allotted to their chamber was the sole representation given to Indian commerce and industry in the province, and they objected to the grant of two seats to European commerce and only one to Indian, which they considered no less important. This Government replied that they understood that the intention of Parliament was that the representation as settled by the electoral rules should remain unaltered for a ten years period, and that although a very radical change in the relative importance of constituencies might afford sufficient ground for altering the representation settled by the rules, they did not consider that any change which had occurred in the position of the United Provinces Chamber since the rules were made would warrant them in pressing for an immediate alteration.

(iv) The depressed classes.

(iv) The position of the depressed classes received special consideration in 1920, and has received further consideration since then as a result of a recommendation of the Reforms Enquiry Committee. The Franchise Committee observed that they "had been driven to the expedient of nomination for the representation of the depressed classes because in no case did they find it possible to provide an electorate in any satisfactory system of franchise." They proposed that the Governor should nominate one member to represent these classes. The Government of India addressed this Government in the matter and stated that while it was not easy to define the extent of the term "depressed classes", they understood that the population which in this province could in any real sense be regarded as depressed was unimportant. At the same time they intimated that they would have no objection to the reservation of one or

two more nominated seats if this Government considered increased representation desirable. This Government in their reply referred to the fact that the Franchise Committee had estimated the number of the depressed classes in this province at ten million and had included castes like the *dhoti, nai, kori* and *khatik* which could not be regarded as depressed. They said that the majority of the depressed classes were people who could produce no satisfactory representatives, and the Lieutenant-Governor considered that there would be no justification for increasing their representation, and non-official opinion would not support such an increase. There the matter rested till 1924 when the Reforms Enquiry Committee proposed that the representation of the depressed classes should be increased. The committee considered that, unless in any particular case the local Government was prepared to recommend a system of election, further representation could not be secured except by nomination. The committee estimated the number of the depressed classes in this province as at least nine million, but observed that the mere figures did not really form a proper measure of the magnitude of the problem in the province. This Government were opposed to any increase in the number of nominated members to represent these classes, and they were of opinion that the time had not come for any widening of the general electorate so as to admit the members of these classes to the franchise.

(v) Factory labourers as such have no special representation in this province. The number of such labourers is comparatively small. The most recent returns put them at 85,517, of whom a large proportion are to be found in Cawnpore. The Reforms Enquiry Committee recommended that special representation should be given. They considered that it would be preferable to provide this by election, though they realized that in existing circumstances local Governments might be compelled to provide for it by nomination. This Government were agreed that the system of nomination should not be extended to give representation to factory labourers, and that the labouring class should be admitted to the franchise only by the widening of the general electorate. The Home Member of the time held that it was possible by widening the franchise to admit representatives of labour, and that such a course was desirable both in the interests of labour and as a counterpoise to the excessive representation of agricultural tenants. Sir William Marris and the Finance Member, while prepared to consult opinion on the proposal, were against any extension of the franchise. After consulting commissioners of

divisions, district officers and the Chambers of Commerce, this Government informed the Government of India that public opinion in the matter was very lukewarm and confined almost entirely to the politically-minded classes. Labour, even in Cawnpore, was said to be apathetic. There was almost unanimous opposition to any lowering of the general franchise, and such members of the public as had any decided views were said to favour special electorates. This Government were satisfied that the practical difficulties of creating such electorates were inseparable, and they adhered to the view previously expressed that there was no need to give separate representation to the labouring classes.

(vi) Other claims.

(vi) This Government have also received claims for special representation from the following classes or communities :—

- (1) ex-officers' association,
- (2) the All-India Kushawaha Kshatriya Mahasabha on behalf of the *kori*, *kachchi* and *muraio* castes,
- (3) the Jain community,
- (4) the Kurmi Kshatriya Parishad Sabha,
- (5) the United Provinces Judicial Officers' Association,
- (6) sub-assistant surgeons,
- (7) the Marwari community,
- (8) the United Provinces Trades Association,
- (9) the *Shia* community,
- (10) the Ahle Hadis (a Muhammadan sect),
- (11) artizans,
- (12) the Shilpkar community (Kumaun),
- (13) Sanskrit Sahitya Sammelan on behalf of Sanskrit scholars, and
- (14) forest contractors.

It is unnecessary to discuss any of these claims.

Use of the franchise.

174. The proportion of electors who have exercised the franchise has increased at each election as shown in the following settlement :—

			<i>Males.</i>		<i>Females.</i>
1920	..	..	33 per cent.		Nil.
1923	..	..	43.7	..	2.8 per cent.
1926	..	..	51.6	..	10

The proportion of electors who voted in the different classes of constituencies in 1926 was as follows :—

Non-Muhammadan urban .. .. .	..	45.5 per cent.
Non-Muhammadan rural .. . . .	..	49.3 ..
Muhammadan urban .. . . .	..	42.0 ..
Muhammadan rural .. . . .	..	64.5 ..
Agra landholders .. . . .	..	58.0 ..
Taluqdars of Oudh .. . . .	..	53.3 ..
Chambers of Commerce .. . . .	..	Uncontested.
Allahabad University .. . . .	..	71.7 per cent
Europeans .. . . .	..	14.2 ..

In the 1920 elections the number of voters was undoubtedly affected by the efforts of the non-co-operation party to keep votes from going to the poll. In 1926 several constituencies showed a poll of over seventy per cent. of the electorate and two of over eighty per cent. The lowest poll was twelve per cent. in the hill district of Almora. The European poll was only fourteen per cent. The women's vote in 1926 showed a considerable increase, on that of 1923, but was still very small. In one rural constituency with 1,174 female electors not a single one went to the poll, in another only three out of 1,238 electors. On the other hand, it was in a rural constituency that 512 female electors out of 1,202 went to the poll. It cannot be said that experience has shown that among women as a whole there was any real desire for this franchise. It is impossible to say to what extent their reluctance to make use of it has been due to apathy and to what extent to the difficulties which social customs place in the way of women voting. Communal issues were prominent in the 1926 elections and no doubt led to the general poll being heavier. Amongst the educated classes in the towns the influence and importance of the legislature is now better understood and in consequence the franchise is more valued. In the rural areas there has been little change. This Government reported in 1924 :—“The electors do not recognize in any living sense that the legislature is their representative, carrying their mandate and binding them by its decision

The vast majority of the electors are still, what they always have been, members of an illiterate peasantry with many virtues, but not many of the qualities out of which the controlling power of parliaments and parliamentary government is made.” The peasant still knows little or nothing of what goes on in the legislative council and is indifferent to most of the issues that are there debated. The increase in the number of votes cast by rural electors reflects

rather the greater activity of politicians than any genuine growth of interest in the villagers.

Claims and objections.

175. The following statement shows the number of claims for registration and objections put in when the electoral rolls were revised in 1923 and 1926 :—

	Claims—		Objections—	
	Made.	Admitted.	Made.	Admitted.
1923	3,538	169	1,613	10
1926	6,350	4,067	1,702	1,038

The only reason that can be suggested to account for the difference in the proportion of the successful applications in 1923 and 1926 is that in 1926 some candidates and party organizations exerted every effort to get their own supporters on to the roll and their opponents kept off it. This was especially the case in some urban constituencies where the electoral rolls are much smaller than in most rural constituencies and consequently a few votes on one side or the other are likely to make more difference in the result. More than half the claims and nearly half of the objections were made in urban constituencies.

The electoral roll.

176. For the preparation of the first electoral roll in 1920 an officer was placed on special duty in each district who worked under the district officer, who is the returning officer. In the preparation of the rolls for the 1923 and 1926 elections the district staff received no special assistance. The principal qualification in the case of electors in rural areas is the payment of a certain minimum amount of land revenue or rent. The village land records contain full particulars of such payments. There was therefore no real difficulty in preparing an accurate roll for the rural areas. In the urban areas the municipal boards and other town authorities placed their records at the disposal of the district staff and assisted in the preparation of the rolls, and even in some cases themselves prepared the rolls. After initial preparation the roll is published and a date fixed by which all claims for registration and objections must be filed. Such claims are disposed of by revising officers as prescribed by the rules. These officers are generally members of the Indian Civil Service or the United Provinces Civil Service in charge of revenue sub-divisions,

Their orders are final and the rolls, as amended in accordance with their orders, are not subject to alteration, except for special reasons, until the roll is revised before the next election. This Government have received only one complaint in regard to the accuracy of the electoral rolls and have no reason to believe that registration generally has not been carried out with absolute impartiality and a fair degree of accuracy. The accuracy in the rural areas is probably greater than in the urban as the villagers seldom change their residences and the village rolls are therefore more easy to maintain. The one complaint related to a roll which had been prepared by a municipal board, and in that case there was suspicion that it had been deliberately manipulated in the interests of a particular candidate.

177. There are in all ninety-six constituencies which elect members to the legislative council of this province. A complete list of constituencies showing the area, population and number of electors will be found in Appendix III. Of these ninety are general and six special. For the general constituencies the district has as far as possible been adopted as the territorial area. This was, of course, impossible in the case of the European constituency, the area of which is co-extensive with the province, but has been possible in the great majority of the non-Muhammadan rural constituencies. Forty-four out of fifty-two of these constituencies comprise a single district. The remaining eight are divided between four districts, two constituencies to each district. In the case of Muhammadan rural constituencies it has not been so easy to retain the district as the electoral unit. There are twenty-five of these constituencies. Eleven of them comprise single districts. Two constituencies form part of one district. In the case of the remaining twelve from two to four adjacent districts are grouped to form a single constituency. The smaller towns (municipalities, notified areas and town areas) have been included in rural constituencies, and only the ten largest towns (each with a population exceeding 70,000) have been included in urban constituencies. Of these latter, six (all non-Muhammadan) comprise a single large town, and in the other six two or three towns are grouped together to form a single unit. If the smaller towns had been included in urban constituencies it would have been necessary to group a considerable number of them together, and the constituencies so formed would have been entirely lacking in any community of local interest.

Arrange-
ment of
constituen-
cies.

Differences
in area.

178. The distribution of electors in the rural areas is somewhat uneven. There are in the first place wide differences in the areas of constituencies. The area of non-Muhammadan rural constituencies varies in the plains from 910 square miles to 4,368 square miles, and in the hills from 2,721 square miles to 5,612 square miles. The average area of these constituencies in the plains is 1,895 square miles. The area of Muhammadan rural constituencies shows even wider variations, namely, from 936 square miles to 15,072 square miles. The average area of these constituencies is 4,262 square miles or more than double that of the average area of the non-Muhammadan rural constituencies.

Differences
in popula-
tion.

179. The variations in population are equally wide. In the non-Muhammadan rural constituencies the population varies from 182,312 to 1,599,436 and the average is 716,842. In the Muhammadan rural constituencies the population varies from 89,756 to 464,878 and the average is 247,284. In the urban constituencies the population is naturally considerably smaller. In the non-Muhammadan constituencies it varies from 67,041 to 160,639 with an average of 117,330, and in the Muhammadan constituencies from 98,863 to 150,936 with an average of 133,466.

Differences
in number
of electors.

180. There are also wide variations in the number of electors in the constituencies. The table below shows these at a glance :—

<i>Number of electors.</i>		<i>Number of constituencies.</i>	
NON-MUHAMMADAN.			
Between	110 and 115,000	..	1
"	45 " 50,000	..	1
"	40 " 45,000	..	1
"	35 " 40,000	..	2
"	30 " 35,000	..	3
"	25 " 30,000	..	12
"	20 " 25,000	..	11
"	15 " 20,000	..	10
"	10 " 15,000	..	10
"	5 " 10,000	..	1
Total		..	52
MUHAMMADAN.			
Between	10 and 15,000	..	5
"	5 " 10,000	..	14
"	0 " 5,000	..	6
Total		..	25

	EUROPEAN.	
Between 0 and 5,000	..	1
	Total	1

In the urban constituencies the average number of electors is practically the same in the case of both non-Muhammadan and Muhammadan, 12,408 in the case of the former and 12,914 in the case of the latter. In the rural constituencies on the other hand there is a very wide divergence in the average electorate, 24,230 in the case of non-Muhammadans and 7,100 in the case of Muhammadans. The average number of electors in the urban constituencies taken together is 12,577 and in the case of rural constituencies 18,935. The average number of electors in all non-Muhammadan constituencies taken together is 24,206 and in Muhammadan 7,905. It is unnecessary to make any comment on the divergence in the average urban and rural electorates other than that it was inevitable that the average electorates in the towns should be smaller if the towns were to be given representation which was in any sense individual and commensurate with their higher standard of education and development. If the rural areas were given the same representation as the urban areas on a strict population basis, they would be represented by three hundred and twenty-two instead of seventy-seven members. Thus although rural interests do predominate in the composition of the legislative council, they do not in fact have anything like the representation which would be given to them on a basis of population. The differences in the average electorate in non-Muhammadan and Muhammadan constituencies is an inevitable result of the compact arrived at between the representatives of these communities in 1916 whereby the Muhammadans receive representation in excess of their proportion to the general population.

181. The six special constituencies provide for the representation of landholders, commercial and industrial interests and the University of Allahabad. The landholders have three constituencies, two in Agra each returning one member and one in Oudh returning four members. One constituency in Agra comprises the Meerut, Rohilkhand, Agra and Kumaun divisions with an electorate of three hundred and eighty, and the other the Jhansi, Allahabad, Gorakhpur and Benares divisions with an electorate of three hundred and thirty-six. The Oudh constituency has three hundred and seventy-three electors. Of the two special constituencies for commercial

The special
consti-
tuencies.

and industrial interests the one comprised of the Upper India Chamber of Commerce has sixty-seven electors and the other comprised of the United Provinces Chamber on hundred and three electors. There are 4,101 electors on the roll of the Allahabad University constituency.

Inclusion of towns, in rural constituencies.

182. In April, 1925 the All-India Jat Kshatriya Mahasabha submitted to this Government a resolution asking that towns with a population of 10,000 and over should be included in urban areas in order to facilitate the return of real rural representatives for the rural constituencies. The sabha felt that with the existing arrangement of constituencies whereby all towns with a population of less than 70,000 are included in rural constituencies, the town candidate is in a better position to obtain votes and is thus able to defeat candidates from the villages. A rearrangement on the lines desired, even if approved on the merits, would, as already explained, be very difficult to carry out.

Plural member constituencies.

183. All the constituencies with two exceptions return a single member. The exceptions are the Upper India Chamber of Commerce and the taluqdars of Oudh. The former returns two members, who in 1920 and 1923 were both Europeans and in 1926 one European and one Indian. The taluqdars return four members. At the first two elections they returned three Hindus and one Muhammadan. At the 1926 election, owing to internal dissensions, four Hindus were returned. In these constituencies each elector has as many votes as there are candidates, but he is allowed to give one vote only to any candidate.

Qualifications of candidates.

184. Some points connected with the qualifications of candidates are worthy of mention. The age limit for candidates is twenty-five years as compared with twenty-one in the case of electors. In the rules as originally made no female was eligible to stand for election. This disqualification has recently been removed as a result of a resolution passed by the legislative council on November 1, 1927. Candidates in the general constituencies need not be resident within the constituency for which they stand, except in the case of the European constituency, and a non-Muhammadan can under the rules stand for a Muhammadan constituency and a Muhammadan for a non-Muhammadan constituency, even though only non-Muhammadans can vote in a non-Muhammadan constituency and Muhammadans in a Muhammadan constituency.

Number of candidates.

185. There has been no lack of candidates for election to the legislative council. These are seldom chosen any length of time before the elections actually take place and there is

very little nursing of constituencies as it is known in England. Activity is generally confined to the few months immediately preceding the election and in many cases to the period between nomination and the election. In 1920 in spite of the fact that an important section of the community stood aloof, three hundred and thirty-four candidates were nominated for the one hundred elected seats. Of these two hundred and thirty-eight were nominated in the sixty non-Muhammadan constituencies, an average of practically four per seat. In 1923 the number of candidates fell to two hundred and fifteen and the decrease was principally in the non-Muhammadan constituencies, in which the number fell by one hundred and four, giving an average of just over two per seat. Candidates were more numerous again in 1926 when two hundred and thirty were nominated. The change was again chiefly confined to the non-Muhammadan constituencies in which, candidates increased from a hundred and thirty-four to one hundred and fifty-four. In 1926 the candidates in the non-Muhammadan constituencies averaged two and a half per seat, in the Muhammadan, European, university and taluqdars constituencies practically two per seat, and in the Agra landholders and Chambers of Commerce constituencies one and a half and one per seat respectively.

186. At the time of the 1920 elections party organization was non-existent and candidates for the most part came forward *suo motu* and were elected on personal grounds rather than on party tickets or by party organization. The *swaraj* party entered the arena for the 1923 elections and by means of their organization achieved considerable success. The liberals in theory also possessed an electoral organization at that time, but if its efficiency be judged by the success of liberal candidates at the election it must have been singularly ineffective. Landholders again came forward in large numbers without any party organization whatever and again gained a majority of seats owing to their influence with the rural electors. In the 1926 elections the *swaraj* party had an effective organization and were generally believed to have party funds at their disposal. Communal feeling played a large part in the election and the nationalist party, which had taken the place of the liberals, had the support of the Hindu Sabha organization which in Oudh, if not elsewhere, was generally believed to give financial support to candidates. The landholders, however, were again without organization, and this time lost ground particularly in the western districts. The 1926 elections were notable for the fact that some politicians

with an all-India reputation who were not themselves candidates participated in the election campaign. Pandit Moti Lal Nehru addressed meetings in favour of swarajist candidates and Pandit Madan Mohan Malaviya, Lala Lajpat Rai and Raja Rampal Singh gave their aid to the nationalist party.

Status of candidates.

187. The classes most largely represented among the candidates at all elections have been landholders and lawyers. Those candidates who belonged to neither of these classes have for the most part been persons of no occupation other than politics, retired Government servants, journalists and professional men such as university teachers. Candidates have on the whole been representative of the middle class population. Titled landholders have begun to lose their initial shyness of political life, and the present council contains nearly twenty members who belong to titled families. The lawyer in really big practice rarely comes forward as a candidate. Owing to sessions of the council being held in Lucknow it is not easy for leading members of the Allahabad bar to combine politics with their profession, and even in Lucknow combination is difficult for the busy lawyer owing to the council sitting during the same hours as the courts. The best of the lawyer candidates are with comparatively few exceptions men who have had success at the bar in the headquarters of some *mofussil* district. In an agricultural province men of experience in commerce or industry are not unnaturally seldom to be found standing for any but the special commercial constituencies. On the other hand, a very considerable number of candidates have had experience of local self-government as members of municipal or district boards. The disqualification of women from membership of the council was only removed in 1927 and so far no woman has stood for election.

Advantage of a deposit.

188. At the time of the 1920 elections no deposit was required from candidates. Since 1923 a deposit of Rs. 250 is required from each candidate and is forfeited if a candidate fails to secure more than one-eighth of the votes polled. The deposits of twenty-seven candidates were forfeited in 1923 and of thirty in 1926. There is general agreement among returning officers that the demand of a deposit has had a good effect, though a very considerable number of these officers consider that the amount is not at present sufficient. It certainly bears no reasonable proportion to the average election expenses. It probably deters the man of straw who would like to be nominated in order to be bought off. It is on the other hand no deterrent to a candidate of adequate means who wishes to put up a dummy candidate to filch votes from his opponent

without affecting his own support. Nor is it sufficient to deter a political organization from putting up a candidate even when he has no hope of success.

189. Nomination papers are carefully examined by the opposing parties and objections invariably made when there is any chance of success and often when there is no such chance. The objections are mainly on technical grounds such as the misspelling of a name, the inadequacy of an address, the deposit of the security with the wrong officer, etc. Candidates generally safeguard themselves by filing several nomination papers, and it not infrequently happens that when one paper is rejected as invalid others are accepted and the candidature is not affected. The most frequent substantial ground of objection has been previous conviction for a criminal offence. The number of nomination papers rejected either on objection by opponents or by the returning officer on his own initiative has been negligible.

Scrutiny of nomination papers.

190. Once candidates have been nominated they usually go forward to the election, though cases of withdrawal have not been infrequent. The reasons for such withdrawals are usually personal and have little relation to political principles. One candidate withdraws to leave another a clear field against a mutual opponent, or a candidate sees he has no chance of success, or for private reasons finds it inconvenient to go through with the contest. It also no doubt happens on occasions that one candidate withdraws in favour of another on the understanding that his election to some local board is not opposed or even actually supported, or on the understanding that some other compensation of a similar nature is received.

Withdrawal of candidates.

191. The number of uncontested elections shows a tendency to decrease. In 1920 there were twenty-eight, in 1923 twenty-four, and in 1926 seventeen. Cases of candidates standing for more than one constituency at one time have occurred, but have been so rare as to be negligible. In such cases the constituencies are usually of a different class, for example, one a landholders' and the other a general constituency, or one for the provincial legislative council and the other for the legislative assembly.

Uncontested elections.

192. The rules governing the nomination of candidates, the scrutiny of nomination papers, etc., have worked satisfactorily. No difficulties have been brought to the notice of Government and no complaints have been received.

Administrative machinery.

193. The arrangement by which the district was, wherever possible, made the unit for the constituency has facilitated the arrangements for elections. The district officer is ordinarily

Election arrangements.

the returning officer and responsible for all election arrangements within his own district. The holding of elections on the scale involved by the new franchise was an entirely new problem for district officers. The general principles governing the arrangements for the elections were worked out at Government headquarters in 1920 and each district officer was left to apply these to the special conditions of his district. The arrangements thus made at the outset have been found to be generally suitable and have worked smoothly at each successive election.

Polling stations.

194. The aim has been to enable every voter to record his vote at a polling station within five miles of his home. This aim has probably been achieved in the case of most voters, but obviously could not be achieved in the case of all. In some cases the lack of a suitable centre with convenient buildings, in other cases the difficulty of communications, has necessitated voters travelling longer distances to record their votes. There is, however, a consensus of opinion among returning officers that the distances which voters have had to travel have involved no hardship and they certainly have not been the subject of any general complaint.

Dates and times of polling.

195. In 1920 the elections were completed in a single day as desired by the Government of India. Experience in that year, however, showed that it would be more satisfactory to have the elections for non-Muhammadan and Muhammadan constituencies on separate days, and this change was introduced in 1923. The present arrangement, therefore, is that the elections for both the local and the imperial legislature are carried out together, the non-Muhammadan constituencies polling on one day, and the Muhammadan on another day. In all the general constituencies polling is carried on from 7-30 to 11-30 a.m. and again from 12-30 to 4-30 p.m. Experience has shown that the busiest hours in the urban constituencies are the early morning hours and in the rural constituencies the afternoon hours. In the special constituencies the hours of polling have been arranged to suit the special circumstances of the electors.

Staff at polling stations.

196. The polling stations are staffed as far as possible by Government officials. Each such station is under the charge of a presiding officer, and if the number of voters whose votes are to be recorded at the station exceeds three hundred, additional officers known as polling officers are appointed, one for every three hundred voters. The standing instructions are that presiding and polling officers should not be of lower status than that of a naib-tahsildar, and that suitable non-officials may be appointed with the approval of the commissioner of the

division. Difficulty has been experienced in some districts in staffing the polling stations. The number of government officials of the requisite standing is limited and non-officials are generally interested in one or other of the candidates, while district officers naturally prefer to have their own subordinate officials in charge of these stations. There would probably be considerable difficulty in some districts in making the necessary arrangements if the franchise were materially widened. Each polling officer is supplied with at least two clerks, one to check the electoral roll and one to fill in signature slips and the number of clerks is increased according to the number of voters though ordinarily each polling officer should not have more than four clerks under him. These clerks are found from the clerical staff of government offices. Each polling station has also to be supplied with persons able to identify the voters. In the rural areas this work of identification is usually entrusted to the village accountant and in the urban areas to the municipal officers, though in each case the candidate or his agent may also assist in the work of identification. There is considerable divergence of opinion as to the number of voters which can be satisfactorily handled at one polling station. The general opinion may, however, be taken to be that one officer can record the votes of from three hundred to five hundred voters and that not more than three or four polling officers should be grouped at one polling station. That would indicate that 1,200 to 1,600 votes can actually be recorded per station, and on the experience of the number of votes actually recorded at past elections would indicate that as a general rule one station could deal with an electoral roll of 2,000 to 2,500 electors. In one district in the 1926 election 3,000 voters were actually handled at one station but that was quite exceptional. The number of votes which a single officer can record obviously depends to a large extent on the officer's ability in handling men and on the local organization and general suitability of the building in which the votes are recorded. It may, however, be pointed out that so long as an attempt is made to provide a polling station within five miles of the home of every voter, the maximum number of votes which can be recorded at one station is a matter of concern only in the urban constituencies and in headquarter towns in rural constituencies. It is of interest in this connexion to note that some returning officers consider that literate voters can be dealt with more expeditiously than illiterate voters because the latter are for the most part only semi-literate and take a considerable time to fill in their ballot papers. This suggests that a considerable advance in literacy will be necessary before the

number of voters that can be satisfactorily handled at a single station can be appreciably increased.

Canvassing.

197. In a rural constituency the general practice appears to be for the candidates to try to establish relations at the outset with the landholders and any other influential persons in the constituency and to trust to the influence of those persons rather than their own efforts to obtain support among the electors. There is a very marked consensus of opinion among district officers that it is the influence of the landholders that really controls the elections. Election meetings are reported to have been held in some districts, but they are clearly not at present an important form of electioneering. Election addresses in the form common in England are practically unknown. Leaflets, posters and satirical poems are distributed in some places on a more or less wide scale, and in others are little used. Canvassers are employed, but these are reported to be unpaid more often than paid.

Bringing voters to poll.

198. When the polling day comes voters are brought to the poll in large batches, generally by villages, sometimes by castes. Transport now plays an important part in elections and all manner of conveyances are brought into use—motor lorries, motor cars, tongas, *ekkas*, bullock carts and even camel carts. The voters are generally collected and brought to the poll by friends of the candidates, by the servants of landholders, or by different organizations such as the Hindu Sabha and the Arya Samaj, and in some cases subordinate employees of local boards are reported to have been used where the candidate has been a member of the board and also village accountants where the candidate has been a caste fellow. For the most part, however, it is clear that it is the influence of the landholding classes that is chiefly relied on to bring the voters to the polling station.

Offer of inducements.

199. It is the general opinion that in the rural constituencies the electors have little interest in the elections and if left to themselves would not come to the poll. It may be asked therefore what, if any, inducements are held out to them. It is difficult to give a general answer to this question. Where the zamindar is interested in the election, fear of his displeasure is in itself a sufficient reason for most tenants to record their vote. There is, however, no doubt that in some cases votes have been gained by candidates holding out promises which they knew were impossible of fulfilment. More substantial inducements have also in some cases been given. A district officer with a reputation for knowing his district very intimately reported that in the 1923 election in his district

money flowed like water. Refreshments are frequently given to voters at polling stations. Such refreshments, however, are generally regarded as necessary, if persons of the class of the majority of electors are to be induced to leave their homes for a day on any business whatever. They are also generally supplied in the name of friends of the candidate, though there is no doubt whatever that it is the candidate who often pays for them.

200. The electors have now arrived at the polling station. Their conduct there is generally orderly and there have been very few cases in which anything amounting to serious disorder has taken place. Police are naturally necessary to maintain order and to keep the crowds under control, but ordinarily there is no likelihood of trouble arising except when two batches of voters for rival candidates arrive at the polling station simultaneously and each tries to get in before the other. The experience in rural constituencies has been that the rush of voters comes late in the afternoon, and when batches of voters see that the hour of closing is drawing near without their votes having been recorded they, or more generally those in charge of them, are apt to get out of hand. **Conduct at the poll.**

201. Inside the polling station two kinds of difficulty arise. There is first of all the difficulty with the literate, or rather semi-literate voter, who finds difficulty in signing his own name and also in reading the names of the candidates on the ballot paper. He is a general cause of delay and some polling officers have found their work to be carried on more expeditiously by inducing such voters to regard themselves as literate and thereby get the polling officer to mark the paper for them. There is also the difficulty of the illiterate voter who either does not know or has forgotten the name of the candidate for whom he intends to vote. Some polling officers have apparently found this difficulty to be negligible, but others have found it a real one. The extent of the difficulty probably depends on the efficiency of the candidate's organization. Where the voters have been well drilled the difficulty does not exist; where they have been left to themselves it is a very real one. No particular difficulty has been found in recording the votes of women. There is no reliable evidence that any *purdah* women have come to vote and when the woman does not observe *purdah* there is no greater difficulty in recording her vote than in recording that of a male voter, with this exception that women are reported to be rather more apt to forget the name of their candidate. There is really no such thing as secrecy of ballot, so far as the illiterate, and that is the great majority, of the voters are concerned. Many voters are report- **Difficulties of polling officers.**

ed to enter the polling station shouting the names of their candidates and, even where they do not do this, since the vote of the illiterate voter is recorded in the presence of the candidate's agent, no secrecy can be observed. No definite figures of the extent of illiteracy among the voters can be given, but practically all district officers are agreed that the great majority are illiterate and the actual percentage is put as high as ninety in some cases and seldom lower than seventy.

**Invalid
and tendered
votes.**

202. Complete figures of invalid and tendered votes are not available. In 1920 there were 9,620 invalid votes and in 1926 with a very much larger poll, 9,391. The figures for 1923 are incomplete, but so far as they are available they show that the number of invalid votes in that year in forty-one constituencies was only slightly less than the number in the same constituencies in 1926, though there was a considerable increase in the poll in the latter year. The proportion of invalid votes has therefore tended to decrease. It is in any case so small as to be negligible and the reason, for this is that the votes of illiterate voters are recorded for them by the polling officers and the invalid votes are recorded practically without exception by literate voters who form a very small proportion of the total number. In 1920 only forty votes were returned as "tendered." The returns for 1923 are very incomplete, but show one hundred and fifteen tendered votes in thirty-nine constituencies. The 1926 returns are complete and include five hundred and sixty-five tendered votes. The increase in the number of these votes since the first election is undoubtedly due to the admission of the candidates' agents to the polling stations and to the keener interest in the result of the recent election.

Personation.

203. There is little evidence that personation has been indulged in to any material extent, though it has been one of the irregularities alleged in twenty-three out of the forty election petitions filed after the three general elections. It often happens that perfectly innocent attempts at personation are made. Thus a son or a brother comes in perfectly good faith to record the vote of his father or his brother. The safeguards against criminal personation are the presence of officials to identify the voters and also the presence of friends or agents of the candidates. A comparatively small number of cases of personation have been detected and prosecuted.

**Special
methods
of voting.**

204. There are three constituencies in which a special method of voting is employed. These are—

- (1) Upper India Chamber of Commerce.
- (2) United Provinces Chamber of Commerce.
- (3) Allahabad University.

In the two former all electors are permitted to vote by post, and in the latter members of the university court and of the executive council and of the academic council who are residing in India and whose addresses have been registered at the office of the returning officer are permitted to vote by post.

205. That corrupt practices are indulged in is undoubted. **Corrupt practices.** There is, however, no reliable evidence to show their extent and most district officers report that there is no general complaint of the existence of such practices. The absence of such complaint may, however, be due either to the fact that the practices are indulged in by both sides or to the fact that they are looked upon as natural feature of political elections. A statement showing the number of election petitions filed in connexion with each of the three general elections and the grounds on which they have been preferred will be found in appendix IV. It will be seen that there were five petitions after the 1920 elections, eighteen after those of 1923, and seventeen after those of 1926. As the number of contested elections in 1923 was seventy-six and in 1926 eighty-three the proportion of petitions after the last two elections has been distinctly high. The opinion is held in some quarters that the right of petitioning has been abused and that the rules should be amended so as to provide for a higher security and to give Government the power to dismiss petitions summarily.

206. There are no accurate records of the expense **Expenditure on elections.** incurred by Government on the various elections. The cost of the 1920 election was estimated at nearly five and a half lakhs. For the 1923 election much less printing was done and the cost was estimated at a little over two lakhs. For the 1926 election there was again more printing and the cost has been estimated at just over four lakhs. It is necessary, however, to explain that these figures are not exhaustive and do not include such items as, in the 1920 election, the cost of the officers on special duty at Government headquarters and in each district, nor for all the elections the expenditure met from the contingent grant of district officers on such items as the transport of ballot papers and ballot boxes, construction of temporary booths for polling stations, or travelling allowance of the various subordinate officials employed in connexion with elections.

207. According to the returns made by candidates the **candidates' amounts spent by them on the different elections were as expenses.** follows :—

1920	..	..	..	..	2.91 lakhs.
1923	..	..	..	..	3.95 "
1926	"	"	"	"	5.65 "

The steady increase in the cost to candidates is of interest. It is no doubt accounted for to a considerable extent by the more elaborate arrangements for canvassing, etc., made by the candidates at successive elections.

Classification of members.

208. It has been stated above that the majority of candidates were either landholders or lawyers. The same is true of those candidates who have been successful. An analysis of the elected members of the legislative council since 1921 gives the following result:—

	1921 to 1923. 1924 to 1926. 1927 to 1929.		
Landholders	48	51	45
Lawyers	44	31	34
Others	10	18	21

The designation "others" includes journalists, educationists, retired government servants, business men and one or two members whose main occupation is political or social propaganda. It is of interest to note that the predominance of the two principal classes has decreased, though only to a small extent, with each election. This process is likely to continue as the value of the franchise is increasingly recognized. There is no doubt that the main interest of landholders and tenants, other than the statutory relationship of the one class to the other, are essentially the same; at the same time it is hardly to be expected that the tenantry will continue to return landholder representatives to the same extent as at present if their political advance keeps pace with the development of the province as a whole.

Nomination.

209. The United Provinces Electoral Rules authorize the Governor to nominate twenty-one members, of whom not more than sixteen may be officials, to the legislative council. Of the numbers so nominated three are required to be representative of—

- (1) the Anglo-Indian community,
- (2) the Indian Christian community, and
- (3) classes which in the opinion of the Governor are depressed classes.

The Governor has used his general power of nomination either to bring on to the council men of position and influence unlikely to stand for election or else to redress communal inequalities. In the first council the two nominated members were a distinguished taluqdar of Oudh who had been a member of the old council and would never have stood for election, and an advocate of Allahabad who was selected because the Bengali community was not otherwise represented in the council. In

the second council the two members were an Oudh taluqdar and an influential landholder from the eastern part of the province of Agra who was a practical agriculturist on a large scale and the owner of a successful sugar factory. At the 1926 election the Oudh taluqdars returned four Hindus from their special constituency, instead of three Hindus and one Muhammadan as at previous elections, and for this reason the Governor selected two Muhammadans for nomination, one a Shia taluqdar and the other a barrister and ex-chairman of the important municipal board of Moradabad. The first representative of the depressed classes had commercial interests in the city of Agra. The present representative is a vakil from Lucknow. The Indian Christian community has at present the distinction of being represented by the only woman member of the council.

210. The Governor has used his powers under section 72-A of the Act to nominate experts to the council as occasion has arisen. Such nominations were made in the case of the Oudh Rent Bill (1921), the Aerial Ropeways Bill (1922), the District Boards bill (1922), the Excise bill (1923), the District Boards Primary Education bill (1926), and the Agra University bill (1926). The members so nominated all gave great assistance in select committee and some of them also took an active part in the discussion of the bills in connexion with which they were nominated. **Expert members-**

211. The members representing constituencies which comprise a single district or a single town are with only one or two exceptions resident within the district or town which they represent. Where the constituency includes more than one district or town the member is ordinarily resident within one of the districts or towns within the constituency. In the case of the single district or single town constituency it is obviously much easier for the member to keep touch with his constituents, but from the reports of returning officers it would appear that the nature of the constituency makes little difference to the efforts of members in this direction. Interest in the constituency is of course shown to some extent by the asking of questions and the moving of resolutions, but the number of members who do more than that is very limited. Very few members have made any attempt to educate their constituents in public affairs or indeed to establish any relations with the rank and file of the electorate. It is by no means unusual for members to keep in touch with their principal supporters and to address political meetings at head-quarter towns but few members have been known to tour in **Relations between members and constituencies-**

the villages. When trouble of any kind has arisen, particularly of a communal nature, the local members have been known to proceed to the spot and to organize their co-religionists, while it has in recent years not been uncommon for members to keep themselves before the public by addressing meetings held by religious organizations and generally taking an interest in communal matters. Real interest in the welfare of the electors, if such interest can be judged by going about among the electors, is confined to a very select band of members who regard themselves in a real sense as the representatives of those whose votes return them to the council and make a real effort to keep in touch with the electorate as a whole.

**Sessions
of the
legislature.**

212. The statement below shows the number of days on which the legislature sat in the years 1921 to 1927 and also the number of days which were reserved for government business, as well as the number which were allotted for private members' business or on which such business was admitted :—

			<i>Total sittings.</i>	<i>Government days.</i>	<i>Private mem- bers, business.</i>
1921	..	..	66	38	28
1922	..	..	53	27	26
1923	..	..	37	23	14
1924	..	..	41	22	19
1925	..	..	46	24	22
1926	..	..	53	43	10
1927	..	..	45	27	20

At the outset private members had a very large number of subjects which they wished to discuss by means of resolutions, hence the large number of days allotted to them in the first two years. In the autumn of the third year the second general election took place and there was no session after October, hence less time was available for private members' business. With the advent of a considerable number of new members in 1924 there was an immediate increase in private members' days and this was maintained in the following year. In the third year of the second council there were again special reasons for less time being given. There were the elections in the autumn, and the long session in July and August devoted to the passage of government legislation. In addition the members of the *swaraj* party in that year generally absented themselves from the proceedings of the council in pursuance of their party's policy. In 1927 there was again an influx of new members, though not on such a large scale as in 1924, but sufficient to increase the demand for non-official

days. The time allotted to private members has been very largely occupied with the discussion of resolutions. As will be seen later comparatively little legislation has been promoted by private members. The council has ordinarily met for a short session in January or February, followed by a more prolonged session in February and March, sometimes running into April, during which the budget is presented and passed. A short session has generally been held in June, July or August, either in Lucknow or Naini Tal, but in 1926 the summer session was the longest on record as it was devoted to very controversial legislation, namely, the Agra Tenancy and the Land Revenue (Amendment) bills. One or two short sessions have in most years been held between September and the end of the year. The council ordinarily sits from 11 a.m. to 5 p.m. with a break of about three-quarters of an hour for luncheon. The first hour of each day is devoted to questions.

213. A complete list of Government legislation will be found in appendix V. Some account of the more important Acts is given elsewhere, in the accounts of the working of the departments concerned, and in the present connexion it will only be necessary to consider more briefly the nature of and the attitude of the legislature to these Acts and any points of constitutional importance that emerge from their history in the council. It will be convenient to group them for this purpose under certain general headings :—

1. *Rent and revenue.*—Two Acts and one bill of first-class importance come under this heading—

(1) *The Oudh Rent (Amendment) Act, IV of 1921.*—

This Act was a most contentious measure. It was the outcome of a triangular contest. On one side there were the taluqdars of Oudh, supported by the landholders of the province of Agra, on the other side the liberal party, who took on themselves the roll of supporting the interest of the tenants, and between the two Government endeavouring to secure the maximum amount of protection for the tenants and at the same time justice for the taluqdars. There is no doubt that the bill could not have been passed except for Sir Harcourt Butler's great influence with the taluqdars, which was ably and resolutely exercised. The bill is of constitutional interest in that it afforded the first occasion on which the Governor made use of his power under

sub-section (1) of section 81-A of the Government of India Act to return a bill for reconsideration by the legislature. In this instance the two amendments suggested by the Governor had not previously been before the council and were both accepted by it without opposition.

(2) *The Agra Tenancy Act, III of 1926.*—This Act had an even more stormy passage through the council than the Oudh Rent Act. In this case Government were on several vital provisions faced by the opposition of the combined forces of the landholders and the *swaraj* party, and it was only after very prolonged discussion, and after it had been returned to the council by the Governor for reconsideration, and after the opposition had been split in two, that the bill was ultimately passed. The points of constitutional interest connected with this bill were :—

- (i) the difficulty which Government is apt to experience in passing legislation of a controversial nature owing to the lack of a majority in the legislature;
- (ii) the difficulty of passing controversial legislation without the guillotine or some equivalent system in a legislature where party organization is incomplete and party discipline lacking. Even before the Agra Tenancy bill was introduced into the council it had been subjected to the most exhaustive consideration, not only by Government but also by a committee which included representatives of the interests concerned. After introduction the bill had been submitted to a minute examination by a select committee which made numerous amendments. Nevertheless before and during the consideration stage Government received notice of about one thousand amendments and a very large proportion of these were actually moved and discussed. Under the existing rules only two days' notice is required for amendments. When these are submitted in large numbers, as in the case of this bill, this places a very heavy burden on the officials concerned with the bill, as after long and tiring days in council they have to spend laborious nights in examining

and deciding their attitude to these amendments. It also places a heavy and unnecessary burden on the council. The great majority of the amendments are of trifling importance, but the President is vested with no power of selecting those amendments which should be placed before the council and Government have no power of closing the discussion. If party organization were more complete, and party discipline enforced, a large number of the amendments could be disposed of by the party leaders and the amendments for discussion arranged between the party leaders and Government. Even that would not, however, be a complete remedy, as it might happen that a party was determined to pursue a course of obstruction, in which case only the guillotine or some equivalent system would provide a remedy;

(iii) the use by the Governor of his power to make a recommendation with reference to sub-section (1) of section 72E of the Government of India Act. In this case the Governor found it necessary to return the bill for reconsideration on five points, in regard to four of which the council had already declared itself. Owing to a split between the landholders and the *swaraj* party and to the latter party giving its support to Government in order to save a bill which made large concessions to tenants, the Governor's amendments were accepted and the bill became law.

(3) *The Land Revenue (Amendment) Bill.*—If the history of the Agra Tenancy bill affords an example of the difficulty which a Government without a majority must find in passing controversial legislation, the history of the Settlement bill affords an example of a bill which could not be passed. In this case the bill was so altered in select committee that it emerged in a form unacceptable to Government. Owing to the combination of the landholders and the *swaraj* party, Government were unable to effect the removal of those features which they considered vitally objectionable. The Governor then made a recommendation that two clauses should be passed

in a different form. The council rejected the Governor's recommendation and the bill was dropped.

2. *Financial*.—There have been three taxation Acts:—

- (1) The United Provinces Court-fees (Amendment) Act, III of 1923;
- (2) the United Provinces Stamp (Amendment) Act, V of 1923, and
- (3) the United Provinces Motor Vehicles Taxation Act, VI of 1923.

These represent the successful attempts to impose additional taxation. There were also several unsuccessful attempts, namely, in 1921, an attempt to derive more money from court-fees was defeated at the first reading, in 1924, an attempt to extend the Court-fees Act and the Motor Vehicles Taxation Act was defeated, and in 1925 an attempt to extend the Stamp Act was also defeated. The Court-fees bill in 1921 was introduced for the purpose of increasing the revenue, but was also justified on the ground that the existing rates of court-fees were of old standing and no longer bore any relation to the wealth of the people or the purchasing power of money. The financial situation at the time was not, however, sufficiently serious to overcome the fear that new taxation would be unpopular and might cost its supporters their seats. By the following year the situation had become so serious that Government were forced not only to re-introduce the Court-fees bill but in addition to introduce the Stamp and Motor Vehicles Taxation bills. The attitude of the council towards these measures was hostile but not unreasoned. It allowed all three bills to go to select committee though with much opposition in the case of the Court-fees bill. In committee the bills were altered so as to reduce the yield of the additional taxation and on the second reading they were vigorously attacked. In the end, however, and chiefly as a result of certain concessions offered by Government, the bills were passed for one year. In the following year the council agreed to the extension of the Stamp Act for another year, but refused to extend either of the other two Acts, while in 1925 it rejected a proposal further to extend the Stamp Act. In the latter year Government received from the Government of India a remission of fifty-six lakhs of the provincial contribution and the council held that the renewal of the Stamp Act was no longer justified. Only two non-officials voted with the Government on that occasion. Further remissions of the provincial contribution have since made it unnecessary to resort to

proposals for additional taxation. It is, however, practically certain that such proposals, if made, would have been rejected. The council as a whole has taken the view that no new taxation could be justified until the provincial contribution had been entirely remitted. Mention should also be made under this head of the attempt to determine irrigation rates by statute. For the reasons explained in the review of the work of the Irrigation department that attempt failed. A bill was introduced but Government did not proceed with it as the proceedings of the select committee showed such a wide diversity of opinion. In 1924 Government also introduced a bill to impose a tax on entertainments and betting but did not proceed with it, because the estimated yield of the tax was very small and the attitude of the council unfavourable.

3. *Administrative.*—Under this head the two important Acts are the United Provinces Board of Revenue Act, XII of 1922, and the Oudh Courts Act, IV of 1925. The former which deprived the Board of Revenue of its executive functions passed without opposition. The Oudh Courts bill also had a comparatively easy passage. There was, however, difficulty with one clause which the council inserted against the opposition of Government, and which required that three-fifths of the total number of judges on the Chief Court should be Indians. The Governor returned this clause for reconsideration and the council accepted the amendment recommended by him though not without a division.

4. *Education.*—There have been four Acts of first-class importance dealing with educational matters, namely—

- (1) The Intermediate Education Act, II of 1921,
- (2) the Allahabad University Act, III of 1921,
- (3) the District Boards Primary Education Act, I of 1926, and
- (4) the Agra University Act, VIII of 1926.

(1) The Intermediate Education Act was not passed without difficulty. In the select committee on the bill many dissents were recorded. The minister in charge experienced difficulty owing to the fact that the opposition came chiefly from members of his own party. It was only when Government exerted itself to rally the landholders, who were in a majority in the council, that the measure was passed. The bill is therefore of interest as showing how a minister is sometimes dependent on the support and influence of the Governor in Council in passing legislation.

(2) The Allahabad University bill was discussed at considerable length and criticism again came chiefly from the minister's own supporters. The bill, however, went through without any great difficulty.

(3) The District Boards Primary Education bill had a much more difficult passage and in several divisions the ministers were only saved from defeat by the official vote. On an amendment to provide for religious instruction along with secular teaching the discussion took a frankly communal turn. Since the issue was a religious one Government took no part in the division, which was on purely communal lines and resulted in a Muhammadan defeat. During the third reading the Muhammadan members left the council chamber in a body as a protest against the alleged lack of sympathy on the part of the Hindus on a point which the Muhammadan members regarded as vital. As a concession of some importance had already been made to Muhammadan sentiment with the support of Government, the Muhammadan members subsequently made it known that their departure from the council chamber was a protest against the attitude, not of Government, but of the *swaraj* party.

(4) The Agra University bill came on at the close of a long and tiring session when the attendance was small and was passed without any difficulty.

5. *Local self-government.*—The one Act of primary importance has been the District Boards Act, X of 1922. The District Boards bill had a troubled passage. The landholders took objection to the taxation clauses, and the apportionment of Muhammadan representation on the boards also gave rise to difficulty. The Governor himself held a conference with the leading members of the council and secured assurances which eventually led to the passage of the bill. The taxation provisions had, however, to be severely restricted. It was during the second reading of this bill that the incident occurred, which is described elsewhere, in which one member of the executive council spoke, and both members of the executive council voted, in opposition to the ministers.

6. *Social.*—The only Acts which can in any sense be regarded as aiming at the removal of social evils were :—

(1) The United Provinces Excise (Amendment) Act, II of 1923, and

(2) the United Provinces Opium-smoking Act, II of 1925.

The former is interesting more from the constitutional point of view than from its subject-matter. It gave statutory authority to licensing boards and also raised the age limit of persons to whom liquor may be sold. The council passed the bill without any discussion on the merits. An attempt was, however, made to move two amendments both of which were ruled out of order. The first proposed to enact that the excise commissioner need not necessarily be a member of the Indian Civil Service. The amendment was ruled out of order on the ground that its real object was to cancel the reservation of the post of excise commissioner for members of the Indian Civil Service, and that it was therefore repugnant to the Government of India Act and though affecting a central subject had not received the previous sanction of the Government of India. The second amendment proposed to impose a tax on advertisements of intoxicating liquors. The President ruled it out of order on the ground that it came within the mischief of section 80-C of the Government of India Act which made it unlawful for any member of a local legislative council, without the previous sanction of the Governor, to introduce any measure affecting the public revenues of a province. The Opium-smoking Bill was a somewhat belated outcome of the Hague Opium Convention of 1912. It made illegal an assembly of two or more persons for the purposes of smoking opium. Government were pressed on one side to make the measure more stringent, even to make it a measure of absolute prohibition, and on the other to relax some of its provisions, particularly the penalty clauses. The middle course taken by Government, however, commanded large support and the bill went through without any real difficulty. Towards the end of 1927 Government, in response to the express wish of the council, introduced a bill to afford protection to the minor girls of the Naik community, who are ordinarily brought up to a life of prostitution. The bill has been referred to a select committee.

214. A list of private members' legislation will be found in appendix V. The number of private bills introduced has been comparatively small and the number that has been proceeded with after introduction has been still smaller. In all five acts initiated by private members have been placed on the statute book. The Agra Pre-emption bill though introduced by a private member was identical with a bill introduced by Government in the legislative council prior to 1921, but not passed owing to want of time. The United Provinces Municipal (Amendment) bill, for the alteration of the electoral

qualifications, was, like the Agra Pre-emption bill, supported by Government and passed without difficulty. The United Provinces District Boards (Amendment) bill was intended to alter the electoral qualifications of Muhammadan electors. The United Provinces Public Gambling (Amendment) bill was introduced to amend the definition of "common gaming house" so as to cover cases of gaming on the digits of the sale-price of a commodity or on the digits of papers or balls manipulated from within jars or other receptacles, or on the occurrence or non-occurrence of any natural event, for example, the quantity of rainfall. The United Provinces Municipalities (Amendment) bill provided for the resignation of the chairman of a municipal board if a majority consisting of not less than half the members of the board for the time being passed a vote of no confidence in him, and confirmed it by a subsequent resolution calling upon him to resign, and for the enforcement of such resignation by giving the local Government power to remove a chairman from office if he failed to submit his resignation after such a vote. All these bills went through without difficulty. The last mentioned is probably the most important. Its wisdom has been questioned but it is still too early to judge its results. The Agra Province Zamindars' Association Contribution bill was stoutly opposed by the nationalist and *swaraj* parties but was supported by Government and passed after prolonged discussion. The object of the bill was to place the association in the same position as the taluqdars' association in the matter of the collection of the subscriptions of its members by government agency along with the land revenue. A bill aimed at the postponement of municipal elections was introduced but was opposed by Government because the elections were already proceeding and was rejected by the council. Another private measure of some importance, the Agra Tenancy (Amendment) bill, intended to set aside a ruling of the Board of Revenue in respect of certain seven years' leases, was introduced and referred to a select committee, but was withdrawn when the select committee's report was presented. Twelve other private bills were introduced up to the end of 1927 none of which was of more than minor importance. One, the Bundelkhand Alienation of Land (Amendment) bill, sought to defeat the restriction on the alienation of land in Bundelkhand by allowing a scheduled creditor under the Provincial Insolvency Act to get the land of a bankrupt sold in lieu of his proved debt. The bill was negatived by the council. Of the other eleven bills eight were not proceeded with, one has been passed in the present year, one is with a select committee, and one has

not yet been carried beyond the introduction stage. Notice of the intention to move for leave to introduce ten other bills was given. In the case of one of these, namely, the United Provinces Temperance Bill, previous sanction was necessary and this was refused on the ground that bills affecting seriously the revenues of the province must be introduced by Government. None of the other nine bills was introduced.

215. This Government have not proposed to the Governor-General in Council the draft of any Regulation under sub-section (1) of section 71 of the Government of India Act nor has the Governor-General promulgated any Ordinance relating to this province. The Governor has not used his powers under sub-section (1) of section 72-E to certify any bill. He reserved the Agra Pre-emption Bill for the consideration of the Governor-General under sub-section (1) of section 81-A because it affected the religion of a class of British subjects. Miscellaneous-

216. The revised estimates of the current and the budget estimates for the ensuing year are prepared in November and December, but with reference solely to expenditure that is already sanctioned. They are then brought before Government who decide how much money can be allotted for new expenditure. The new expenditure is then inserted in the budget estimates and the main totals reported to the Government of India on January 15. The budget is presented to the council as a rule early in March. After an interval of a week two days are allotted for its general discussion. Immediately thereafter twelve days are allotted for the votes on demands. The Finance department arrange the demands in convenient groups, to each of which two days is allotted. If any demand in the group has not been discussed by the end of the second day, it cannot be discussed unless the Governor grants special permission for it to be taken up at the end of some subsequent group. At five o'clock on the last day all demands that have not been finally voted are put without discussion. The budget.

217. The general discussion of the budget is by some regarded as a waste of time. Its value, so far as it has one, is educative. The value is, however, limited by the fact that there is no accredited instructor. In this connexion it is of some interest to note that members of the legislature have on more than one occasion suggested that officers of the Finance department should deliver to them a series of lectures on financial matters. In actual practice the general discussion becomes a series of disjointed disquisitions on every conceivable subject. Every member tries to mention General discussion of the budget.

as many individual matters as he can within the fifteen minutes permitted to him. There is a vast amount of vain repetition. There have, it is true, been signs in recent years that party authorities have entrusted the handling of particular subjects to particular members. That useful process has, however, not yet proceeded very far. There is no attempt on the part of different schools of thought to examine and criticize each others positions. All schools combine to criticize the Government. The same questions are brought up year by year; for example, settlement policy, the abolition of commissioners, the reduction of administrative posts, the separation of judicial from executive functions, the Indianization of the secretariat and of particular posts, and other questions that by now have been discussed repeatedly. Much of what is said has little or no relevance to the budget estimates. From the first budget session to the last there has been no change.

Voting on demands.

218. Each demand is presented by the member or minister in charge, who may or may not make an introductory speech. Motions for reduction, of which forty-eight hours' notice must have been given, are then considered. These motions fall into three classes—

- (1) the token reduction of a small sum, the object of which is to elicit information or to criticize policy, generally or on some particular point, or to give expression to the mover's views on some particular subject;
- (2) the substantive reduction of a sum sufficient to preclude altogether a particular kind of expenditure: these may vary from a reduction designed to prevent a new appointment to one designed to abolish an entire department;
- (3) a substantive reduction intended to secure economy: these are generally directed against items in which, as compared with the figure of the previous year, there has been an increase.

Reductions of all three types are common in respect of reserved subjects. In respect of transferred subjects, however, they are usually confined to the first type, with a small number of the third. In theory there is no objection to any one of these types of reduction. They are all clearly within the competence of the legislature. It is, however, a generally recognized principle in some legislatures that reductions which would embarrass the administration should rarely be moved, on the ground that the executive government alone has sufficient knowledge to decide the amount of money required for

expenditure on particular services, and that the legislature cannot interfere in the decision of the executive on such a matter without running considerable risk of decreasing the efficiency of the service concerned. If such a principle were recognized in the legislative council, reductions of the third class would never be moved. Reductions of the second class are by no means unknown in other legislatures. Under the present dyarchic system, however, motions for reduction of this kind have a special importance since they are almost invariably directed at the reserved subjects and are meant to express the dissatisfaction of the legislature with some branch of the administration over which it has not been given control. Excellent examples of this kind of motion are the motions which have been frequent in recent years to cut out the entire provision for new settlements. Such motions have never yet been moved, still less carried, in the case of transferred subjects except possibly excise and civil works. The first type of motion is the most common of all and is freely used against the transferred as well as the reserved subjects. They are often moved to advocate an increase in the very expenditure which the motion seeks to reduce. A recent instance of this type was a token reduction carried against a grant to the Aligarh University, the sole object of which was to urge Government to make a larger grant to that university and to extend their favours also to the Benares University. The token motion has also been used for another purpose, namely, to elicit the opinion not so much of Government as of the legislature itself on a particular proposal. A good example of this type of motion was that moved to complain of the failure of Government to increase the pay of the Indian Subordinate Medical department. On that occasion the minister promised that if the motion was carried he would bring forward a motion to increase the pay of that service in a supplementary estimate; a promise which he fulfilled in due course. It is interesting to note that whereas in other legislatures the most common method of attacking a minister's policy is to move a token reduction of his salary, that method of attack has never been used in the United Provinces legislature. There have been motions to reduce or to abolish altogether the salaries of ministers: but these have come from a party which held that there should be no ministers at all. Attacks on a minister's policy in regard to a particular subject are usually made in connexion with the demand for that subject as a whole. This to some extent places the ministers in a favourable position. Whereas an adverse vote on a minister's salary would almost certainly involve his resignation, an adverse

vote on a particular demand does not necessarily involve the same consequences, since though the council may be dissatisfied with his policy in respect of that particular subject, it does not follow that it is dissatisfied with his handling of all subjects or that it desires his removal. It must be admitted that an enormous amount of time is wasted in the discussions on demands. The number of motions for reduction is inevitably large and often excessive. This is mainly due to the lack of party discipline. Towards the end of the life of the first council it became the practice for the leaders of the opposition to assign a particular budget to one member of their party for study, and subsequently, on his advice and under his guidance, to form a definite plan of attack. During the second council this practice was almost entirely abandoned, but it is now being revived. Unfortunately party discipline has not yet developed sufficiently to make this arrangement entirely successful. There are recalcitrant members who insist on putting in their own motions irrespective of their party's wishes; whilst the landholders' party which has little organization, also like to have their share in the discussion. The result is that there are often as many as a dozen motions on the same point, and though only one of them is moved, the members who have given notice of the others are all likely to speak to that motion. Many motions are of the most trivial character. Again and again Government has been asked to explain some trifling differences of less than four figures in the estimates of the current and budget years. Much time is wasted in this way with the result that numerous important heads, especially in the last year or two have not been discussed at all. In 1927 only eight demands out of thirty-two were discussed and of these eight some were only partially discussed. The situation in this respect has become such that in arranging the demands in groups for discussion Government have been compelled to vary their order so as to ensure that grants that have escaped discussion in previous years are discussed in their turn. In short the entire discussion of demands is most unbusinesslike, partly because members will not restrict themselves to important matters, partly because there is not sufficient party discipline to ensure a definite plan of attack, partly because many speeches are too long, and partly because there is so keen a desire on the part of members to make speeches.

**Attacks on
non-voted
items.**

219. A considerable part of the total estimates is withdrawn from the purview of the council as being non-votable under sub-section (3) of section 72-D of the Government of India Act. This non-votable expenditure includes large

sums for purposes which a section of the council is always particularly anxious to attack, notably the salaries of the all-India services. The fact that this expenditure is not open to direct attack forms an ever present grievance. To get over this disability members attack voted items connected with some particular post which is itself immune from attack; for example, they will move for the reduction of the clerical staff of commissioners' offices or of the clerical staff of the office of some other administrative officer, their object being by reducing such staff to render the officer concerned ineffective.

220. In 1918 Sir Harcourt Butler, then Lieutenant-Governor, constituted the first Finance Committee. In those days it consisted of an equal number of officials and non-officials under the chairmanship of the finance secretary. Its duty was to examine all schemes of new expenditure as soon as they had been examined and approved by the Finance department. Though occasionally the Finance Committee showed a desire to interfere with administration, there can be no doubt that its advice was usually sound and valuable. As time went on it was consulted on other matters; for example, proposals to increase the pay of subordinate services which had been prepared by an officer on special duty were submitted to its scrutiny and considerably altered at its suggestion. It was also consulted in connection with the proposals of the Committee on Financial Relations at all stages and gave much valuable assistance. It had in fact proved itself before the Reforms came into operation and one of the first standing orders of the new legislature gave it a definite place in the new constitution. The committee now consists of eight members of the council elected by the non-official members and four members nominated by Government, including the Finance Member. Under the standing order which governs this committee the Finance department has power to bring before it any matter that it pleases; in practice, however, the scope of its duties has not been varied. Its main work is still to consider and criticize all schemes of new expenditure. The deliberations of the committee have from the first been treated as confidential. The committee at one time threatened to develop into a purely political body which might have become an engine of attack on Government. In the opening years of the new system it showed a distinct inclination to regard some questions from a political rather than from a financial point of view. During the life of the second council, though the committee each year contained a substantial *swarajist* element, it was less apt to attack policy and confined itself in

the main to financial issues. The committee elected by the present council has also maintained a correct constitutional attitude and has not attempted to control policy. There is therefore hope that a tradition is being formed which will be observed in the future, though with a personnel which changes from year to year continuity is necessarily lacking and tradition is not easily formed.

**Public
Accounts
Committee.**

221. The Public Accounts Committee had no prototype in pre-Reform days. It is an entirely new creation and has proved to be one which has so far made little appeal to members of the legislature. Membership of the committee involves work that is not only heavy but also dull, and the subjects with which it deals are not live questions that attract public attention, but an appropriation report relating to a year long passed. It is unfortunate, but perhaps only natural, that the committee has not attracted the most able members of the council. The rules regulating its appointment did not at first render it more attractive since they provided that all members should be elected afresh each year, whereas continuity of personnel is obviously desirable in dealing with so technical a subject as appropriation. Whatever the reasons, the fact is that the Public Accounts Committee has in this province been a definite failure, even though the Finance department, in order to assist the committee, has each year prepared a note analysing the appropriation report and suggesting the action that might suitably be taken in regard to it. There has, however, recently been some indication of a change of attitude towards the committee on the part of leading members of the legislative council, who are perhaps now beginning to appreciate the possibilities of the committee at its true value. There has also recently been a change in the rules regarding election to the committee which now ensure some continuity of membership by providing that only a portion of the members in any one year are new to the work. There is therefore some reason to hope that the committee will be more useful in the future than it has been in the past, though it will almost certainly take some time before it occupies its right position in the constitution.

**Power of
certification.**

222. A list of the occasions on which the Governor has used his powers under provisos (a) and (b) of sub-section (2) of section 72-D of the Government of India Act is given in appendix VI. The circumstances in which the power to restore items rejected by the legislature was exercised on each occasion have already been referred to in Part V—Administration of departments. In the present connexion it is only necessary to point out that the use of this exceptional power

has been comparatively rare. The need for this power is obvious and yet there is little doubt that its very existence has at times had a prejudicial effect on the responsibility of members. Instances can be given of cases of members voting against budget allotments in reserved departments in order to gain a little cheap popularity when they would not have so voted had they not known that the Governor could, and as they thought, probably would, restore the allotment if the council cut it out. No better example of such irresponsibility could be cited than that of the vote given by the leader and many members of the nationalist party for the omission of the entire allotment for police from the budget for 1927-28. Experience has proved the need for the power to sanction emergent expenditure conferred on the Governor by proviso (b) to sub-section (2) of section 72-D. It is inevitable that occasions should arise when unforeseen expenditure must be incurred without the sanction of the legislature. It will be seen from the appendix that floods have been the principal cause of such expenditure. In every case the expenditure has been reported to the legislature at the earliest opportunity.

223. Members of the legislative council have made full use of the right of asking questions. These have been so numerous and their subject matter so varied that they do not admit of a complete analysis. The total number asked since 1921 is nearly twenty-one thousand. The number asked per year has varied from 1,104 in 1923 to 3,978 in 1926. Questions can be somewhat roughly classified into the following types:—

(1) Legitimate requests for information. Members have shown an insatiable desire for information on all manner of subjects, often without regard to sources of information available to them. A considerable amount of the information given is used at a later period for an attack on Government, but much of it is never used and the giving of it seems to serve no useful purpose. Some members show scant regard to the amount of time and labour involved in collecting some of the material asked for. A statement showing the number of civil cases during the past five years in which the decretal amount was more than double the principle has been refused, but on the other hand the names of the students who passed out of the Agricultural College at Cawnpore during a period of six years, together with their qualifications, present employment and salaries, were painfully collected. Some statements laid on the council table in connexion with answers to questions take up many pages of the council proceedings and are of no permanent value.

(2) Questions put with the object of suggesting to Government the desirability of action in a certain direction, for example, the exemption from the Arms Rules of landholders paying Rs. 3,000 in land revenue, the constitution of cattle insurance societies, or the placing of a fixed price on reports of council proceedings. If such suggestions are not accepted the question is frequently followed up by a resolution. The President has sometimes disallowed a resolution of no great public interest on the ground that the matter should be first ventilated by question.

(3) Another type of question is intended to draw attention to grievances, of general or local interest, real or imaginary. These are often put in the interests of some particular community or class. An example of this type is the series of questions concerning the supply arrangements for officers on tour put in 1921, which led to the appointment of a committee to go into the question.

(4) Some questions are put in order to call attention to scandals, real or imaginary, or misconduct by officials. Examples of this type are questions suggesting bribery on the part of an inspector of boilers, a question suggesting that the death of a man who fell down a well during a gambling raid was really caused by the police, questions regarding the death of a political prisoner in the Lucknow jail. There has recently been a marked tendency to call attention to any remarks made by judges or magistrates which reflect in any way on the conduct of government officers, especially police officers.

(5) Questions which were obviously prompted by discontented officials were at one time not infrequent. Government were forced to let it be known that the supply of departmental information to members of the council for such a purpose was a breach of discipline. The orders of Government were resented and formed the subject of a resolution in the council on February 27, 1924. The resolution, which recommended that the orders should be withdrawn, was adopted, but Government have taken no action in the matter.

(6) An important class of question aims, by a process of reiteration, at inducing Government to take action on some proposals already before them or to do something which the council or some section of it has much at heart. Examples of this type of question are the series of questions about the separation of executive and judicial functions, the numerous group of questions about political prisoners and the questions regarding an educational test for honorary magistrates.

(7) In recent years questions have frequently been put with the intention of calling attention to communal inequalities. Recent examples of such questions are, how many village

accountants are Muhammadans, how many Muhammadans have been returned since 1920 by constituencies with a joint electorate, whether no settlement officer is a Muhammadan, and whether there is no Muhammadan honorary magistrate in a certain district or tahsil.

224. In 1923 this Government reported that the full value of supplementary questions did not seem to have been realized. That is no longer true, and supplementary questions have come very much into prominence in recent years. One reason for this undoubtedly is that the printed answers to all starred questions are now placed on the desk of each member of the council one hour before the meeting at which they are to be answered. This is contrary to the practice of the Government of India who have always maintained that disclosure of the answer to a question which has not been put was inconsistent with parliamentary procedure and likely to place the Government in an unduly unfavourable position. On January 27, 1927, twenty-five supplementary questions were asked to one question, twenty-four to another and twenty-four to a third; on the following day twenty-one supplementary questions were asked to one question; and on the next following day thirty-one supplementary questions were asked to one question and twenty-eight to another. These examples show the extent to which supplementary questions are now made use of, and it is even a question if there is not a tendency on the part of some members to abuse the right. A new development in the use of supplementary questions is to pave the way for a motion to adjourn the House on the ground that the answers given are not satisfactory. Two adjournments have been brought about in this manner and there have been other occasions also when questions were partly framed and followed up by supplementary questions with that object in view.

225. The Governor's power of disallowing questions has been the subject of correspondence with the Government of India. In the case of resolutions the Governor has the power of deciding finally whether any resolution is or is not admissible whereas in the case of questions he has only a power of decision in regard to the admissibility of questions in regard to which the President feels a doubt.

226. A complete statement of the resolutions which have been moved and discussed in the legislative council will be found in appendix VII. The statement is in three parts showing separately—

- (1) resolutions adopted by the council,
- (2) resolutions withdrawn on an assurance from Government, and
- (3) resolutions defeated.

The action taken by Government on resolutions of the first two categories is also shown in the statement. Over three hundred resolutions in all have been brought before the legislative council from 1921 to the present date. For every one resolution which related to a transferred subject there were nearly two relating to a reserved subject. A large proportion of the resolutions were either adopted or withdrawn. Comparatively few were definitely negatived. More resolutions were moved in 1921 than in any later year. In the three years 1922 to 1924 the number was almost steady, though much below that of 1921. There was a further decrease, though only a small one in 1925, and then a large decrease in 1926, when only eight days were allotted for non-official business. In 1927 the number again rose, but was still far below that even of 1925. The chief reason for this steady decrease in the number of resolutions moved would seem to be that each resolution is now discussed at much greater length with the result that many placed on the agenda are never reached. A further reason may be that members realize that most of the stock subjects have been sufficiently discussed and that to continue bringing them before the council only tends to reduce that body to the level of a debating society.

Government resolutions.

227. Government have made comparatively little use of the power to bring resolutions before the council. The most important government resolution was that recommending the establishment of a Chief Court for Oudh. The Government of India had refused to advise the Governor-General to grant sanction to the introduction of the Oudh Courts Bill until the legislative council had expressed itself as in favour of the Bill. The matter was therefore brought before the council by means of a government resolution.

Effect of resolutions.

228. The statements in the appendix show the wide variety of subjects which have been brought before the council by means of resolutions; they also show how certain subjects recur again and again. Government have given effect to resolutions adopted by the council in a large number of cases. Among the more important cases in which action has been taken in deference to the expressed wish of the council the following may be cited:—

- (1) method of recruitment of deputy collectors;
- (2) procedure in the hearing of income-tax appeals;
- (3) forest administration in Kumaun;
- (4) religious instruction in schools;

- (5) treatment of prisoners convicted of offences connected with political movements;
- (6) establishment of local self-government committee and excise advisory committee;
- (7) removal of the sex disqualification for the franchise and for membership of the legislature;
- (8) introduction of legislation to determine irrigation rates;
- (9) release of prisoners convicted in certain communal riots;
- (10) introduction of legislation to protect Naik girls;
- (11) adoption of measures to repress corruption in the public services;
- (12) inclusion of vernacular speeches in council proceedings;
- (13) appointment of members of the legislative council as jail visitors;
- (14) revision of the jail manual;
- (15) bringing of Kumaun under the civil jurisdiction of the Allahabad High Court;
- (16) extension of the jury system;
- (17) reduction of posts of circle inspector of police;
- (18) changes in the settlement rules.

In addition Government have taken action on the lines desired by council in a large number of matters of minor importance. On the other hand Government have not seen their way to take action on a large number of resolutions. Among the more important of these may be cited those pressing for—

- (1) the abolition of commissioners;
- (2) abolition of arrest as a penalty for the non-payment of land revenue;
- (3) formation of standing or advisory committees in certain departments;
- (4) liberalization of the Arms Rules;
- (5) establishment of district advisory committees;
- (6) publication of the reasons in cases in which Government do not within three months give effect to a council resolution;
- (7) Indianization of certain administrative posts;

**Resolutions
rejected.**

(8) withdrawal of orders relating to the supply by government servants of information to members of the legislative council.

229. The council rejected resolutions recommending—

- (1) the appointment of a committee to check non-cooperation;
- (2) grant of permission to convicts to smoke in jails;
- (3) introduction of the competitive system for admission to subordinate ranks of the police;
- (4) non-participation in the Empire exhibition;
- (5) appointment of a committee to inquire into the causes of communal riots;
- (6) the allotment of six days per month for non-official business in nine months of the year;
- (7) the reversion of the educational policy embodied in the Intermediate Education Act of 1921;
- (8) removal of the disqualification for candidature to local bodies based on convictions for criminal offences, and in the case of government servants on dismissal;
- (9) provision of representation on local bodies for factory labourers where these are numerous; and
- (10) establishment of a convention that officials should not vote on questions relating to transferred subjects.

With regard to no. (6) above, it may be noted that though the resolution was rejected at a thinly attended meeting, non-official business has on a number of occasions broken down for want of a quorum, and it is believed that a majority of the members had no desire for more days to be allotted.

**Resolutions
disallowed.**

230. The Governor has used his power of disallowing resolutions as occasion demanded. On the ground that they could not be moved without detriment to the public interest, the Governor has disallowed resolutions dealing with political agitation, the sentences passed on prisoners convicted in a case of political dacoity, and the action of an individual officer in a particular case. On the ground that they related to matters not primarily the concern of the local Government the Governor has disallowed resolutions relating, among other things, to the nature of the constitution, the Indianization of the all-India services, the disfranchisement in this province of natives of South Africa, changes in the devolution rules and speeches made by statesmen in England.

231. A statement of the motions made to adjourn the legislative council in order to call attention to a matter of urgent public importance will be found in appendix VIII. There have been in all twenty-nine such motions of which twenty-two were disallowed by the President, generally on the ground that the matter in issue was not one of urgent public importance; two were disallowed by the Governor, after admission by the President, on the ground that the matter could not be discussed without detriment to the public interest; two were withdrawn by the movers: and three were admitted and discussed. The first motion admitted was to call attention to the fact that Government had not withdrawn the Criminal Law (Amendment) Act or released certain prisoners convicted in connexion with political movements in spite of resolutions passed by the legislature. The discussion failed for want of a quorum after it had proceeded for twenty minutes. Several members voluntarily absented themselves as they regarded the motion as equivalent to a vote of censure on the Governor. The absence of official members from the House on that occasion was made the subject of criticism by non-official members who appeared to think that official members should remain in the House in order to enable the discussion to be continued. The second motion admitted was intended as a censure on Government for taking no action against a district officer in a certain matter. Government had in fact taken action, and the motion would never have been made had not an answer been given to a question earlier in the day which the officiating Finance Member himself admitted to have been misleading. Nevertheless the motion was pressed to a division and carried. The third motion admitted was intended as a protest against the nature of the answers given by Government to a series of questions relating to certain remarks made by a judge of the High Court in the preface to a book. The motion was ultimately talked out. The matters to which members wished to call attention in the motions which were disallowed are, except in the case of no. (12), sufficiently shown in the appendix. In the case of no. (12) the President refused to disclose the nature of the matter on the ground that such disclosure would achieve the object desired by the member, who, in the President's opinion, must have been well aware that the motion was out of order. It is clear that the council has failed to appreciate the effective use of these motions. On one occasion the President impressed on the council that such motions were "an extraordinary procedure and meant for extraordinary application." Nevertheless, members have continued to hand in notices without much regard to the urgency or public importance of the questions to be ventilated.

Motions of
adjourn-
ment.

Standing
committees.

232. There are three standing committees of the legislative council, namely :—

- (1) the Finance Committee,
- (2) the Public Accounts Committee, and
- (3) the Local Self-Government Committee.

The Finance Committee is appointed under the standing orders and the Public Accounts Committee under the rules of the legislative council. Each of these committees has a special place in the constitution. The Local Self-Government Committee was appointed in response to a resolution in the council for the purpose of advising the minister on matters of local self-government and public health and medical administration. It serves a useful purpose in affording opportunities to the minister of discussing controversial subjects informally with members of the council. Its meetings have been somewhat infrequent and difficulty is experienced in getting the members together. There was a standing committee on publicity which was abolished in 1923 along with the Publicity department. That department was always regarded with suspicion in the legislature as likely to disseminate views which did not find favour with that body. Pressure has been brought to bear on Government at different times to appoint more standing committees. Resolutions recommending this course were adopted by the council on December 14, 1922, and again on March 3, 1925, but the latter resolution included an alternative recommendation that advisory boards should be appointed for such departments as had neither committees nor boards. It was in response to the former resolution that the Local Self-Government Committee was appointed. No action has been taken in regard to the latter resolution. There were already in existence a large number of advisory boards and Government did not consider that it would serve any useful purpose to appoint such boards for those departments in which they did not already exist. The advantage of advisory boards over standing committees of the legislative council is that the former ordinarily include only men who have special interest in, or special knowledge of, the subjects on which the boards are called upon to advise. The existing advisory boards or committees are as follows :—

Excise Board.

Board of Industries.

Board of Communications.

Development Board.

Board of Industrial Loan Commissioners.

Board of Agriculture.
Forest Advisory Board.
Revision Board in the Jail Department.
United Provinces State Board of Medical Examinations and Medical Council.
Board of Public Health.
Irrigation Board.
Board of Vernacular Education.
Advisory Committee for Compulsory Primary Education.
Advisory Committee of the Thomason College, Roorkee.
Cattle-breeding Committee.
Kumaun Forest Committee.

In 1923 this Government reported that the conclusions of the Governor in Council were that standing committees ought to be confined to the subjects of finance and public accounts, and that there were indications that an expansion of the system into the administrative departments would mean collision with the members of the executive council and the ministers and result in the duality and confusion which attends the working of a similar system in France.

233. Special committees have been appointed from time to time to investigate particular subjects either in response to a resolution in council or in deference to public demands otherwise expressed. Members of the legislature have been well represented on such committees which have usually also contained a due proportion of members chosen for their special knowledge of the subject for investigation by the committee. Reports of such committees are made not to the council but to Government, and Government take such action on them as they see fit, realizing that action not in accord with the views of those members of the committee who are also members of the legislature may be challenged in the legislative council. Some of the subjects remitted for examination by such committees have been the formulation of a definite scheme for the separation of executive and judicial functions, the abolition of or reduction in the number of posts of commissioner, settlement policy and rules, the reorganization of the Public Works department irrigation rates, and court of wards administration. The reports of these committees have been referred to elsewhere, and it is unnecessary to say more in the present connexion than that such committees continue to serve a very useful purpose. In 1927 this Government reported that the Governor in Council adhered to his previous view that inquiry by means of special committees were a natural and legitimate development of the Reforms.

234. The first appearance of party organization in the legislative council was in 1923 when a compact body of about **Party organization.**

thirty members of the *swaraj* party entered the council. In the first council there was a group of members of the liberal party who voted together on most questions, but they had no clearly formulated programme and were bound together by no pledge. The *swaraj* party were predominantly Hindu but eschewed a merely communal attitude, and their cohesion gave them an importance above their numerical strength. They made their influence decisively felt during the passage of the Agra Tenancy Bill and also during the discussion of the Land Revenue (Amendment) Bill. On any issue in which nationalist aspirations or racial feeling were involved they could count on a majority over the Government forces. But the council, as then constituted, had little patience with extremist tactics, and any attempt to throw out whole demands during the budget discussions was promptly met by the combined opposition of other parties. The *swaraj* party thus perforce became a party of reasoned opposition and to this extent were an asset of real value. The landholders' party retained its easy numerical ascendancy but had no party organization. In the present council the *swaraj* party are slightly less strong than in the previous one and are no longer the only well organized party. There is also a strong nationalist party. The two parties combined have a strength of fifty-three members, twenty-two of whom belong to the *swaraj* and thirty-one to the nationalist party. Many members of the latter party would formerly have called themselves liberals, while others have been won over from the landholders. There is no formal alliance between the two parties, but neither is there any real difference between their aims and policy, and as a rule they find it easy to combine in criticism of the reserved side of Government. Towards ministers the attitude of the nationalists is determined mainly by personal considerations. The landholders have all along lacked organization. In the first two councils their conservative instincts and old associations, though not always proof against appeals to racial or nationalist sentiments, kept them on the whole friendly to the Government on the reserved side. In the first year of the present council they were more often than not in opposition, a result mainly of the tenancy and settlement controversies of 1926. More recently there have been indications of a return to their former attitude of friendliness with the Government, though the nationalist party still retains its influence over a number of the landholders. The landholders' party includes most of the Muhammadan members and about fifteen Hindus. They are more open to conviction on the merits than the other groups. Communal feeling is strong in the present council, and for practical purposes the nationalist and *swaraj* parties form one Hindu party. An attack by a

member of one community on a minister or member of the executive council belonging to the other community is at one viewed with suspicion by the co-religionists of the latter, who generally rally to his support. There has thus been considerable development along party lines since 1921. The new groupings, however, depend in part at any rate on personal factors, and for that reason may not prove to be stable.

235. The authors of the Report on Indian Constitutional Reforms observed that they wished to see the convention established that on the subjects transferred to the control of ministers the official members of the legislative council would abstain from voting and leave the decision of the question to the non-official members, and further that on other matters, except when the Government thought it necessary to require their support, the nominated official members should have freedom of speech and vote. The Government of India thought that officials should have freedom of vote both on reserved and on transferred subjects, except in so far as Government thought it necessary to give them instructions. The Joint Select Committee made no reference to the suggested convention but observed that official members other than members of the Government should be free to speak and vote as they chose. The practice in this province has conformed neither to the wishes of the authors of the joint report regarding the suggested convention nor to the views of the members of the Joint Select Committee regarding the grant of freedom of vote to official members. Two separate questions are here involved and it will be convenient to consider them separately :—

The official
vote.

(1) It has already been explained that Sir Harcourt Butler's policy was to regard his Government as a unitary one so far as he found it possible to do so. There was therefore in his time no question of any difference between reserved and transferred subjects so far as the use of the official vote was concerned, except perhaps on the one particular occasion in 1922, already referred to, when the official vote was cast against a minister. It is no exaggeration to say that the first ministry could not have retained office without the support of the official vote. Their supporters were far outnumbered by the landholders who could at any time have defeated them. Sir William Marris did not attempt to conceal the dyarchic nature of the Government and his ministers were selected from the predominant party in the legislature. The second ministry took office after the close of the budget session in 1923 and was broken up by the death of one of the ministers in the following December. During its existence the legisla-

ture only sat for four days, but on one of these days the ministry had an opportunity of showing its strength, when it secured the defeat by an overwhelming majority of a resolution moved by a leading member of the liberal party which recommended that this province should not participate in the Empire exhibition as a protest against the treatment of Indians in Kenya. The third and fourth ministries were also representative of the predominant party in the House, and though the third suffered some defeats (in the Public Works budget and on questions affecting the amenities of all-India service or European officers) in the budget session of 1924, even with the aid of the official vote, it could probably have carried on satisfactorily without that aid throughout the period of its existence, that is till January 1926. While the ministry as reorganized in that month could also have carried on till the end of 1926. Communal tension has complicated the position in the present council. The ministers are all landholders, but two of them look chiefly to the Hindu nationalist party for support and one chiefly to the landholders' party which includes practically all the Muhammadan members. Without the official vote and official influence the ministry could not have remained in office. It would seem therefore that as a matter of actual history there were four years during which the ministry could possibly have carried on without the help of the official vote and three years during which it almost certainly could not. The question of establishing this convention does not seem to have been seriously raised in council until November 4, 1927, when a member of the *swaraj* party moved a resolution recommending Government to accept the convention. This resolution gave rise to a long and interesting discussion in the course of which the Finance Member opposed the resolution on behalf of Government on the grounds, first, that it was very belated, as the council had tolerated the existing practice for nearly seven years and the whole constitution was just about to be brought under review, and second, that the suggested convention would not be in conformity with the existing constitution inasmuch as it had not been embodied in the Government of India Act, nor endorsed in any authoritative interpretation of that Act. The resolution was defeated by forty-six votes to thirty-four, the minority consisting of members of the *swaraj* and nationalist parties.

(2) In regard to the use of the official vote in other than transferred subjects the authors of the joint report apparently held a different view from the members of the select committee. The former recognized that there would be occasions on which Government would require the support of the official

vote, while the latter apparently held the view that Government could on all occasions leave officials to vote as they liked. The practice in this province has been for Government to require officials to vote with them except when specifically given freedom of vote on a particular issue. This attitude requires little defence. The government must be carried on and cannot be carried on by means of frequent resort to exceptional powers. No restriction has been placed by statute on the use of the official vote, and on the other hand statute has placed on Government, even on the reserved side, the obligation of acting in certain matters through the legislature. The sixteen official members have been the only members on whom the Governor in Council has been able to rely with certainty. He has therefore made full use of them. Had he not done so one of two results would have followed, either—

- (1) Government on the reserved side would have become subservient to the legislature, or
- (2) the Governor would have had to have frequent resort to his special powers.

The number of questions coming before the legislature in regard to which the Governor in Council can remain neutral is very limited, and on every question on which the Governor in Council is definitely on one side or the other it is a practical necessity that official members should vote with Government. It may be said that ordinarily the official members would do so if given freedom. Even if they did, it would generally be believed that they had done so not from choice but either from fear or under orders. In any case even if the risk of officials voting against them is not great, it is not one that Government can safely incur since their position on any question would be very seriously weakened if their own officials were to vote against them. If it is desirable that officials should not ordinarily be free to vote as they like, it is obviously even more desirable that they should not be allowed to speak as they like, and in regard to speaking the practice has generally been that official members speak only when the member of Government in charge of the subject asks them to do so.

236. The authors of the Report on Indian Constitutional Reforms suggested that power should be taken to appoint some members of the legislative council to a position analogous to that of a parliamentary under-secretary in Great Britain. The object to be secured by making such appointments was to bring the executive into closer touch with the legislature as well as to afford relief to the members of the Government.

The Government of India thought that members of the executive council or ministers should be able, if they wished, to appoint members of the legislature to assist them in expounding the departmental view to the legislature, but that such appointments should be honorary, otherwise the holders must become amenable to the wishes of the legislature, and that legal provision for such appointments would be unnecessary. Eventually the appointment of council secretaries was left entirely to the discretion of the Governor by sub-section (4) of section 52 of the Government of India Act. In 1921 the Governor appointed two council secretaries, one to assist a minister, the other to assist a member of the executive council in their council work. Both these secretaries at first received a salary of Rs. 7,500 per month, which was voted by the legislature, but one later worked for some time in an honorary capacity. Both resigned their appointments, one after nine months, the other a little later, because they were out of sympathy with certain government measures and wished to speak on the other side. No further interest has been taken in council secretaries and the legislature has shown no disposition so far to press for their reappointment. The two secretaries appointed were given no specific duty, and one of them, when tendering his resignation, expressed the view that the post was ill-suited to the present constitution and that the position of a council secretary was anomalous and at times embarrassing. In 1923 this Government reported that experience had shown that these secretaries were unnecessary and indeed without justification. The Reforms Enquiry Committee, however, took a different view and recommended that the provision regarding these secretaries should be modified so as to provide that they would get a reasonable salary, the amount to be determined by an act of the local legislature, and that on the transferred side the ministers would make recommendations for the appointment of council secretaries for the approval of the Governor, and that once appointed they would hold and vacate office with the ministers. The Governor in Council of this province was opposed to any amendment to the statute. He adhered to the view previously expressed that the proposal to appoint council secretaries was a survival from a rudimentary stage of the reforms scheme: they were originally suggested at a time when ministers had not been contemplated: on the reserved side they were obviously inconsistent with the intention that members of the executive council should be responsible to Parliament, and on the transferred side they became a superfluity as soon as ministers were appointed. He further held that these views had been confirmed

by experience in this province as it had been found that council secretaries could not make good their position and were in fact not needed:

237. The legislative council has rightly shown itself very jealous of its dignity. Sufficient proof of this statement is afforded by the following instances:—

(1) In 1921 the Oudh Rent (Amendment) Bill was referred to a select committee. Certain members of the committee withdrew and intimated that they intended to take no further part in its proceedings. A telegram stating the reasons for their withdrawal was published in the press. In that telegram it was stated that the members withdrew as a protest against the attitude of the Government as defined in the select committee. Shortly after the publication of the telegram, a *communiqué* was given to the press by the publicity commissioner. This *communiqué* referred in detail to the proceedings in the committee. The President of the council held that the publication of the telegram, if a breach at all, was a breach of a very minor type, but that publication of the *communiqué* was a very distinct breach of privilege. The Finance Member took full responsibility for the publication of the *communiqué*, explained to the council the circumstances in which he authorized its publication, and offered a full apology for the breach; which he said, had been committed in ignorance and unwittingly. The Finance Member's apology was accepted by the House.

(2) During the December session of the council in 1924 the President disallowed certain resolutions. In a leading article in *The Leader* the President's action was criticized and an insinuation was made in the following words:—"The fact that the President could advance no convincing reason for his action leads us to think that he was not a free agent in the matter." The question of privilege was immediately raised in the council which unanimously adopted a resolution of disapproval of the conduct of the editor of the paper for his unworthy criticism of the President, which the council considered a gross breach of privilege.

(3) In 1927 in the course of the discussion on the police budget attention was called to certain remarks contained in the administration report of the Police department for the year 1926, which were held to reflect on certain members of the legislative council. The Inspector-General repudiated any intention of making such a reflection and expressed his willingness to withdraw the remarks, whereupon the matter was dropped.

(4) On two occasions when the conduct of district magistrates towards members of the House was raised in the council it was made quite clear that the House was very jealous of the dignity of its members and resented anything in the nature of a slight or an insult offered to them.

**Conduct of
business.**

238. The council has been fortunate in its two presidents. Mr. Keane soon won and retained the complete confidence of all parties and was able to maintain authority without effort. It is due to his wise direction that foundations of sound tradition and practice, based on English precedent, have been firmly laid. Rai Bahadur Lala Sita Ram, the first President elected by the council, has worthily maintained the traditions established by his predecessor. He too has won the complete confidence of all sections of the House, and his authority is accepted without question. There have been no instances of disorderly conduct and debates have been conducted with decorum. Organized obstruction was entirely absent in the first two councils. It has, however, made its appearance in the present council under the sponsorship of the nationalist party. Several carefully masked attempts were unsuccessfully made on the last day for the voting of demands for 1927-28 to throw out whole demands which had not been discussed for lack of time. Three days later obstructive tactics were again resorted to when supplementary estimates were before the House and the whole day was occupied in discussing two minor motions under Jails. These tactics resulted in the postponement to a subsequent session of the consideration of new expenditure on transferred subjects amounting to forty-seven and a half lakhs, and on reserved subjects amounting to five lakhs. A further occasion on which resort was had to obstruction was the debate on the Agra Province Zamindars' Association Contribution Bill. No fewer than five days were required for the passage of this small and innocuous measure.

PART VII.
THE PRESS.

239. In the year 1921 the total number of newspapers and periodicals published in this province was five hundred and twenty-five. By 1927 this number had increased to six hundred and forty-one. Of these seventeen were issued daily, one hundred and ninety-seven weekly and two hundred and eighty-four monthly. The remainder were issued at different intervals such as once a fortnight, twice a week, three times a week, etc. Eighty-nine papers were printed in English, two hundred and sixty-five in Hindi and two hundred and forty-two in Urdu. The remainder were in Bengali, Gujrati, Nepali and other languages. Fifty-five per cent. of the papers were edited by Hindus, thirty-seven per cent. by Muhammadans, two per cent. by Indian Christians and six per cent. by Europeans and Americans. The following are the more important papers :—

English.

- | | | |
|---|-----|--------|
| (1) <i>Pioneer</i> (Allahabad) ... | ... | Daily. |
| (2) <i>Leader</i> (Allahabad) ... | ... | Do. |
| (3) <i>Indian Daily Telegraph</i> (Lucknow) ... | ... | Do. |

Hindi.

- | | | |
|---------------------------------------|-----|----------|
| (1) <i>Aj</i> (Benares) ... | ... | Daily. |
| (2) <i>Vartman</i> (Cawnpore) ... | ... | Do. |
| (3) <i>Pratap</i> (Cawnpore) ... | ... | Weekly. |
| (4) <i>Abhyudaya</i> (Allahabad) ... | ... | Do. |
| (5) <i>Sainik</i> (Agra) ... | ... | Do. |
| (6) <i>Chand</i> (Allahabad) ... | ... | Monthly. |
| (7) <i>Madhuri</i> (Lucknow) ... | ... | Do. |
| (8) <i>Hindi Kesari</i> (Benares) ... | ... | Do. |
| (9) <i>Saraswati</i> (Allahabad) ... | ... | Do. |

Urdu.

- | | | |
|-----------------------------------|-----|------------|
| (1) <i>Hamdan</i> (Lucknow) ... | ... | Daily. |
| (2) <i>Haqiqat</i> (Lucknow) ... | ... | Do. |
| (3) <i>Medina</i> (Bijnor) ... | ... | Bi-weekly. |
| (4) <i>Al Khalil</i> (Meerut) ... | ... | Do. |
| (5) <i>Najat</i> (Bijnor) ... | ... | Do. |

About seventy papers deal with general, political and communal questions. Of the remainder the majority consist of organs of various sects, castes and sub-castes and of educational, religious and social institutions.

Their general attitude.

240. The provincial newspapers represent all shades of opinion from communism and the most extreme forms of *swarajist* doctrine to a reasoned nationalism. Taken as a whole, they are unfriendly and often hostile critics of Government, though the only English owned and edited paper in the province was for many years an exponent of the views of the European community. Those Indian papers which appear in English appeal to the better educated classes and often contain articles written with ability and a sense of responsibility, and their criticism, if generally outspoken, is not invariably devoid of constructive proposals. The vernacular press on the other hand taken as a whole, for there are exceptions, tends to appeal to the passions of the people by preaching the most extreme forms of communism, communalism and *swaraj* and indulging in reckless and entirely destructive criticism.

Attitude of Government.

241. The attitude of Government has been to give the press the widest possible freedom, but they have a clear duty to keep a careful watch on all published matter and to take action when the law is transgressed. During the period of 1921 to 1927 Government instituted thirty-one prosecutions in respect of published matter. Fourteen of these cases were against the editors or publishers of newspapers. The remainder affected authors, publishers or printers of pamphlets. In seven of the newspaper cases the prosecution was withdrawn on the accused offering an apology; in each of the other eight cases the accused was convicted. In November 1927 Government addressed the editors of vernacular newspapers regarding the increasing tendency of these papers to inflame communal feeling. They pointed out that articles were constantly appearing in the press which could only serve, and indeed seemed often expressly designed, to embitter such feeling. They explained that they had no desire to restrict or hamper the frank and open discussion of all matters of public interest, but that it was their duty to see that the discussion was conducted definitely within the limits imposed by the law, which prohibited promotion of feelings of enmity or hatred between classes and the publication of malicious insults to the religion of any community; and they expressed the hope that editors would not allow inflammatory articles to appear any longer in their papers.

242. The main questions that have occupied the attention of the press since 1921 have been—

Attitude of
the press on
particular
questions.

- (1) the non-cooperation and *khilafat* movements,
- (2) Hindu-Muhammadian tension, and
- (3) latterly the Indian Statutory Commission.

(1) The non-cooperation movement dominated the press from the beginning of 1921 till the end of 1923. Extremist papers rapidly gained in circulation and influence. Their number rose from fourteen in 1918 to ninety-three in 1921, and their circulation from 24,000 copies in 1918 to 82,000 in 1921. As the movement lost strength the circulation decreased and was down to 55,000 by 1923. The circulation of one paper rose from 250 in 1919 to 12,000 in 1921, that of another from 6,750 in 1918 to 14,000 in 1922, and a third which began in 1920 with a circulation of 3,000 had increased its circulation to 8,000 by 1921. On the other hand, those papers which opposed the non-cooperation movement and supported Government were hard hit. The circulation of one fell from 1,450 in 1920 to 530 in 1922, of another from 1,000 in 1921 to 700 in 1922. Non-cooperation was preached with much ardour and violent articles became a feature of the extremist papers. Special emphasis was laid on Mr. Gandhi's assurance that *swaraj* could be gained within a year if his programme was carried out. The tone of the extremist press was distinctly anti-British and there were persistent exhortations to the people to paralyze the Government, which it had become fashionable to characterize as satanic. By the end of 1923 the tone of the press, so far as its attitude to Government was concerned, had considerably improved. Non-cooperation had failed as a political issue and existed mainly as an ideal. The *khilafat* movement gained strength owing to its combination with non-cooperation and was supported by Hindu as well as Muhammadian papers. Nearly all the Muhammadian papers became extremist in tone and accorded whole-hearted support to the *hijrat* movement. Several papers represented Britain as the greatest enemy of Islam and held out threats of mass civil disobedience if Britain went to war with Turkey. The agitation began to wane towards the end of 1922 with the conclusion of the Lausanne Conference, which was recognized to have brought about a satisfactory settlement with the Turks. The Muhammadian press hailed this result as a triumph for the *khilafat* agitation and urged that this should not be abandoned until the *jazirat-ul-Arab* was liberated from non-Muhammadian control. Even after the abolition of the *khilafat* by the Anzora Assembly extremist Muhammadian papers attempted, but

with little success, to continue the agitation by the publication of inflammatory matter.

(2) Hindu-Muhammadan unity which had been a source of strength to the non-cooperation and *khilafat* movements showed definite signs of weakening in 1923 after the communal riots in Agra and Saharanpur in this province, and Multan and Amritsar in the Punjab. The Hindi press gave their strong support to the movements which were started for the organization of Hindus. The Muhammadan press became incensed and advocated the counter-Muhammadan organizations. Communal tension continued to increase in volume and in bitterness till the latter part of 1927 when attention became diverted to the Statutory Commission. During 1927 almost every topic was discussed on communal lines and the columns of the more important papers were full of communal recriminations frequently of a violent and virulent character. The question of communal representation became prominent. The Hindu press contended that this system was the root-cause of tension and advocated the establishment of joint electorates. The Muhammadan press strongly refuted this view and generally urged that the abolition of communal electorates would strike at the very root of the existence of the Muhammadan community. Not content with communal representation on legislative and local bodies it demanded the extension of such representation to the public services and the governing bodies of universities.

(3) Since the close of 1927 the Statutory Commission has been the principal press topic. Hindu papers generally protested vehemently against the exclusion of Indians from the Commission and advocated a complete boycott. Muhammadan opinion was sharply divided at the outset, but gradually crystallized in favour of the Commission, and some of the papers which at the outset had supported the boycott began to emphasize the need for caution and urged that Muhammadans should not join the campaign unless a reasonable compromise regarding their rights was arrived at. Some Muhammadan papers even welcomed the exclusion of Indians on the ground that, had they been included, most of them would have been Hindus and would have attempted to prejudice the European members against Muhammadan claims, especially in the matter of separate electorates. Some extremist papers while supporting the boycott of the Commission also advocated a revival of the non-cooperation movement, claiming the right of self-determination and refusing to recognize the right of the British Parliament to pronounce on the fitness of Indians for further constitutional advance.

243. The population of the province is over forty-five millions. The circulation of all the more important daily papers together is less than 40,000, and one of these papers, which is chiefly read by Europeans, accounts for more than forty per cent. of that very limited circulation. Even if allowance be made for the fact that copies of the Indian papers are to some extent read in libraries and handed on from one reader to another and also in some places read out to those who are themselves unable to read, it is obvious that the influence of the press touches only the very fringe of the population. Lord Bryce says that "it is the newspaper press that has made democracy possible in large countries," and explains that it has done so by enabling news to be diffused so rapidly and discussion to be conducted over wide areas so soon after the reception of the news of the matters discussed that arguments and appeals addressed to the people work simultaneously upon their minds almost as effectively as did the voice of the orator in the popular assembly of the first democracies.* If it be accepted that a modern democracy is impossible without a press performing these functions, then, so far as this province is concerned, democracy must for the present be regarded as impossible. The influence of the press should not, however, be judged entirely by its circulation. That influence is undoubtedly altogether out of proportion to the circulation because it works upon the educated classes who are the leaders of the people in thought and action. The press is undoubtedly a factor of importance in the life of the province. In the case of the non-cooperation and *khilafat* movements, of communal tension, and of the agitation for the boycott of the Indian Statutory Commission the press has set the pace and had a wide and powerful influence. The unfortunate thing is that that influence has generally been destructive instead of constructive, and at times has been deliberately used to undermine respect for law and authority. One paper—*The Leader*—has under its present editor become a real force in guiding opinion on current and political questions. That paper is a very important asset to the nationalist party and has indeed had a considerable part in the formation of that party. The Indian politician is sensitive to press criticism and this has been skilfully exploited. Members who oppose the nationalist party are not infrequently pilloried in the party organ.

244. After its limited circulation the next thing that must strike an impartial observer is the one-sided outlook of the Indian press in this province. It is almost without ex-

* "Modern Democracies," vol. I, page 104.

ception anti-Government and openly communal. There is little attempt to present both sides of a case or even little inclination to admit that there are two sides. Every question is argued from a particular narrow point of view, facts that support that point of view are cited, those that are in opposition to it are ignored. Even in the purveyance of news, for example the proceedings of the legislative council, a definitely false impression is often given by reporting certain speeches at length and others either briefly or not at all, and by calling attention to certain divisions and omitting to mention others. Save for an occasional *communiqué* or resolution, and the debates in the legislative council, which are not widely read nor, as just stated, fairly reported, Government have no means of replying to the ceaseless propaganda carried on against them. The expedient of promoting or subsidizing a government paper has often been considered and rejected. Government can generally look to the landholders for support, but the landholders by themselves would find difficulty in maintaining a party paper, and indeed it would not be easy for any paper to represent the views of both the official and non-official sides of the Government. No method has in fact yet been discovered of giving effect to the hope expressed by the authors of the Report on Indian Constitutional Reforms that the Government would find a way of putting their case before the country as effectively as their critics do: nor under the existing constitution does such an arrangement seem possible. No official Government could reply to their critics by like means or in like terms to those which their critics employ against them. It is however a conspicuous difficulty of the present political position that Indian opinion is so largely influenced by a one-sided press.

PART VIII.
INDIAN STATES.

245. There are three states in the United Provinces, namely, Rampur, Tehri-Garhwal and Benarés. Rampur lies in the Rohilkhand division and has an area of eight hundred and ninety-nine square miles, and a population of 453,607. The Tehri-Garhwal state lies entirely within the hills in the north-west corner of the province. It is much the largest of the three states with an area of 4,180 square miles, but its population is only 318,414. The Benares state, in the extreme east of the province, has an area of eight hundred and seventy square miles, and a population of 362,860. Prior to 1921 these three states were in political relations with this Government. The commissioners of the Rohilkhand, Kumaun, and Benares divisions respectively were the Agents to the Governor for the three states. The authors of the Report on Indian Constitutional Reforms recommended that all important states should be placed in direct relations with the Government of India. In pursuance of this recommendation, the Governor of the United Provinces was made Agent to the Governor-General for the states of Rampur, Tehri and Benares, with effect from April 1, 1922. The Government of India later reviewed the whole position and decided that in place of the agency of the Governor in his personal capacity, the agency of the Governor in Council, as being constitutionally more appropriate, should be used. The present procedure is therefore that the three commissioners remain the political agents for the states, and the central subject of relations with Indian states is administered by the Governor, not in his personal capacity but as a part of the Governor in Council. The relations between the Government of the United Provinces and these states have been uniformly cordial.

Relations
with Indian
states.

APPENDIX I.

(Government of India Reforms Despatch of March 5, 1919.)

74. "It [i.e., the Finance department] is not a body that either dictates or vetoes policy. It watches and advises on the financial provisions which are needed to give effect to policy. It criticises proposals and can ask for further consideration. It points out defects in methods of assessment and collection; it can demand justification for new expenditure from the department which proposes it; it can challenge the necessity for spending so much money to secure a given object. But in the last resort administrative considerations must prevail. If there is a dispute regarding expenditure on a reserved subject, the Finance Member may urge that it is wrong or wasteful or that it will entail fresh taxation. But he can be overruled by the Governor in Council. If the dispute relates to expenditure on a transferred subject, the Finance department may similarly expostulate. But the Minister in charge of the particular subject can overrule it and its objections, taking the full responsibility for so doing. In England he would, in theory, have to get the Cabinet to endorse his view in such a case; in an Indian province he would need only the concurrence of the Governor. As practice crystallizes and grows familiar, we are confident that Ministers will find friendly and valuable help from the Finance department in developing their schemes of expenditure on sound and economical lines."

75. "We trust we have made it clear that the relations of the provincial Finance department with both parts of the Government will be precisely the same. We would emphasize the necessity for strengthening its position as external control is withdrawn. Its duties, as we conceive them, may briefly be described as below:—

- (i) In its association with the Revenue departments, the Finance department will exercise steady pressure in the direction of efficient assessment and collection of every kind of public due.
- (ii) It will examine all schemes of new expenditure for which there is a proposal that budget provision should be made; and an invariable rule should be established that no new entry may be made in the budget until it has been scrutinized in the Finance department, which should certify that it has been

examined by it. At this stage the duty of the department is to discuss the necessity for the expenditure and the general propriety of the proposal. It has also to advise as to the provision of the requisite funds, whether they can be met from the existing resources of the province, or whether they will involve new taxes; or in the alternative whether they constitute a proper purpose for borrowing.

- (iii) The next duty of the department may conveniently be described in the words of rule 13 of the rules in force for our own Executive Council, namely:—

'No proposal involving an abandonment of revenue for which credit has been taken in the budget, or involving expenditure which has not been provided for in the budget shall be brought forward for the consideration of the Government, nor shall any orders giving effect to such proposals issue without a previous reference to the Finance department.'

Insertion of a project in the budget means that the legislature gives the proper executive authority power to sanction the expenditure; it is not an order to disburse the money. That order must be given separately by the duly empowered authority; and, in the case of any new or important expenditure, it should not be given without prior consultation with the Finance department.

- (iv) The Finance department should be employed as a safeguard against the influences which make for the lavish growth of public appointments. We should like to see it prescribed in the new Act that no public office is to be created or its emoluments determined without prior consultation with the Finance department. This will insure publicity and need not debar the delegation of minor powers of appointment.
- (v) The Finance department must be in a position to check expenditure for which there is no budget provision, whether it is covered by the appropriation of savings from another budget grant or not. The matter is one which can be examined more satisfactorily in connection with the Audit and Exchequer Bill which we hope to draft for your

approval. Stated very generally, our intention is that the purposes of the budget may not be seriously departed from without the knowledge of the Finance department, which will, of course, be responsible for interpreting its provisions in a reasonable spirit.

- (vi) Finally, the Finance department must be in intimate relations with the Audit. It will have to advise the auditor regarding the scope and intentions of schemes of expenditure, having been itself apprised of these in its discussion with the executive authority at the preliminary stages. It will be consulted by the auditor about the detailed application of financial principles and the interpretation of financial rules. It will keep him informed about prices, local rates of labour, and many other facts which are relevant to his audit, but of which he has no direct source of knowledge."

APPENDIX II.

Statement showing budget and supplementary grants of the principal reserved and transferred administrative departments for the years 1920-21 to 1928-29.

NOTE.—Figures have been adjusted in some cases as methods of account-keeping have varied.

Head of account.	1920-21.	1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.	1928-29.	Increase since 1920-21.
<i>Reserved Hon'ble Finance Member.</i>	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Per cent.
Land Revenue ..	67,67,	78,00,	78,89,	83,49,	85,06,	85,42,	88,47,	88,49,	92,69,	37
Irrigation Working Expenses.	49,63,	55,54,	55,20,	54,49,	58,98,	56,11,	55,72,	59,64,	57,98,	16·8
General Administration	1,30,87,	1,38,64,	1,39,57,	1,34,70,	1,31,96,	1,33,18,	1,33,23,	1,30,87,	1,33,66,	2·1
Total ..	2,48,17,	2,72,18,	2,73,66,	2,72,68,	2,76,00,	2,74,71,	2,77,42,	2,78,99,	2,84,33,	14·6
<i>Reserved Hon'ble Home Member.</i>										
Administration of Justice.	63,79,	66,74,	67,47,	67,26,	68,47,	68,94,	73,79,	72,54,	73,80,	15·7
Jails ..	33,72,	33,57,	35,03,	35,64,	33,46,	33,41,	34,25,	35,53,	37,94,	12·5
Police ..	1,67,48,	1,79,33,	1,76,30,	1,63,35,	1,63,70,	1,62,17,	1,60,87,	1,64,18,	1,68,39,	·5
Total ..	2,64,99,	2,79,64,	2,78,80,	2,66,25,	2,65,63,	2,64,52,	2,68,91,	2,72,25,	2,80,13,	5·7
<i>Transferred.</i>										
Education ..	1,09,93,	1,53,17,	1,40,16,	1,55,58,	1,61,92,	1,63,00,	1,77,61,	1,85,48,	1,86,15,	69·3
Medical ..	23,28,	21,86,	26,75,	25,37,	25,83,	30,52,	33,56,	36,82,	36,50,	56·8
Public Health ..	15,28,	30,08,	30,16,	21,29,	16,68,	15,42,	24,79,	29,25,	25,30,	65·5
Agriculture ..	23,24,	28,85,	28,39,	25,04,	26,79,	26,85,	31,58,	36,29,	35,17,	51·2
Industries ..	8,92,	10,00,	10,00,	10,25,	10,36,	11,68,	12,98,	14,43,	13,17,	46·5
Civil Works ..	1,50,61,	1,50,61,	1,50,61,	82,84,	84,62,	1,21,07,	1,19,85,	1,11,85,	1,20,26,	13·8
Total ..	2,86,26,	3,08,21,	3,49,06,	3,20,37,	3,26,20,	3,68,54,	4,00,31,	4,14,12,	4,16,55,	45·5

NOTES.— (i) Increase in Land Revenue since 1923-24 is due to progress of settlement operations. These are productive and temporary. Ignoring them, the total figure in 1928-29 would be under 2,72,00.

(ii) The education figures exclude expenditure on European education, which is a reserved subject.

Name of constituency.	Class of constituency.	Area in square miles.	Population.			Electors.		
			Males.	Females.	Total.	Males.	Females.	Total.
Agra City	Non-Muhammadan Urban.	..	73,102	56,038	129,140	9,500	78	9,578
Cawnpore City ..	Ditto ..	..	96,722	63,917	160,639	22,492	932	23,424
Allahabad City ..	Ditto ..	..	65,028	48,753	113,781	10,591	435	11,026
Lucknow City ..	Ditto ..	..	84,016	61,411	145,427	21,477	252	21,729
Banares City ..	Ditto ..	..	76,940	66,083	143,023	10,624	344	10,968
Bareilly City ..	Ditto ..	..	39,328	29,871	69,199	6,044	359	6,403
Meerut-cum-Aligarh ..	Ditto ..	..	64,960	45,433	110,393	8,367	294	8,661

APPENDIX III—(continued).

Name of constituency.	Class of constituency.	Area in square miles.	Population.			Electors.		
			Males.	Females.	Total.	Males.	Females.	Total.
Moradabad-cum-Shahjahanpur.	Non-Muhammadan Urban	..	36,543	30,498	67,041	7,215	263	7,478
Dahra Dun District	Non-Muhammadan Rural.	1,189	109,002	73,310	182,312	6,626	79	6,705
Saharanpur District	Ditto	2,133	348,087	280,978	629,065	30,793	842	31,635
Muzaffarnagar District	Ditto	1,657	312,246	255,688	567,934	32,133	778	32,911
Meerut District (North)	Ditto	1,670	306,302	259,059	565,361	28,248	655	28,903
Meerut District (South)	Ditto	1,128	278,191	242,824	521,015	25,014	474	25,488
Bulandshahr District (East).	Ditto	927	245,195	220,422	465,617	24,819	1,633	26,452
Bulandshahr District (West).	Ditto	977	213,106	188,755	401,861	22,314	563	22,877

Aligarh District (East) ..	Ditto ..	1,036	252,395	215,968	468,363	23,496	446	23,942
Aligarh District (West) ..	Ditto ..	910	228,329	192,338	420,667	23,878	518	24,396
Muttra District ..	Ditto ..	1,450	308,618	251,337	559,955	29,093	583	29,676
Agra District ..	Ditto ..	1,855	374,779	310,095	684,874	29,360	574	29,934
Mainpuri District ..	Ditto ..	1,674	390,885	317,856	708,741	25,466	805	26,271
Etah District ..	Ditto ..	1,720	402,412	340,437	742,849	24,808	611	25,419
Bareilly District ..	Ditto ..	1,579	386,832	315,094	681,926	21,650	620	22,270
Bijnor District ..	Ditto ..	1,574	252,155	222,617	474,772	27,900	838	28,738
Budaun District ..	Ditto ..	2,014	439,697	369,622	809,319	23,033	617	23,650
Moradabad District ..	Ditto ..	2,285	391,127	337,030	728,157	35,642	360	30,002
Shahjahanpur District ..	Ditto ..	1,726	387,562	309,181	676,743	14,576	504	15,080

APPENDIX III—(continued).

Name of constituency.	Class of constituency.	Area in square miles.	Population.			Electors.		
			Males.	Females.	Total.	Males.	Females.	Total.
Pilibhit District ..	Non-Muhammadan Rural	1,350	188,419	164,133	352,552	9,966	329	10,295
Jhansi District ..	Ditto ..	3,634	297,429	276,127	573,556	14,758	624	15,382
Jalaun District ..	Ditto ..	1,549	199,619	179,246	378,865	16,611	936	17,547
Hamirpur District ..	Ditto ..	2,292	210,318	201,326	411,644	13,869	989	14,858
Banda District ..	Ditto ..	2,965	295,640	281,570	577,210	11,887	490	12,377
Farrukhabad District ..	Ditto ..	1,683	416,579	340,395	756,974	23,817	435	24,252
Etawah District ..	Ditto ..	1,691	381,412	309,121	690,533	28,396	861	29,257
Gawnpore District ..	Ditto ..	2,368	477,686	398,686	876,372	26,630	1,238	27,868

Fatehpur District	..	Ditto	..	1,642	303,211	273,358	506,569	17,113	938	18,051
Allahabad District	-	Ditto	..	2,858	564,353	547,334	1,111,687	21,550	1,174	22,724
Benares District	..	Ditto	..	1,003	290,469	328,541	619,010	12,091	325	12,416
Mirzapur District	..	Ditto	..	4,368	339,668	341,271	680,939	10,384	529	10,913
Jaunpur District	..	Ditto	..	1,550	524,485	529,057	1,053,542	20,276	511	20,787
Ghazipur District	..	Ditto	..	1,392	388,442	368,063	756,505	12,614	279	12,893
Ballia District	..	Ditto	..	1,223	400,895	377,822	778,717	13,754	313	14,067
Gorakhpur District (West)		Ditto	..	2,446	742,748	724,979	1,467,727	11,399	350	11,749
Gorakhpur District (East)		Ditto	..	2,082	747,001	721,461	1,468,462	12,120	259	12,379
Basti District	..	Ditto	..	2,802	817,531	781,904	1,599,435	22,169	705	22,874
Azamgarh District	..	Ditto	..	2,213	684,302	660,961	1,245,263	17,828	663	18,491

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APPENDIX III—(continued).

Name of constituency.	Class of constituency.	Area in square miles.	Population.			Electors.		
			Males.	Females.	Total.	Males.	Females.	Total.
Naini Tal District ..	Non-Muhammādan Rural	2,721	127,815	93,298	221,113	14,702	975	15,677
Almora District ..	Ditto ..	5,389	263,413	263,902	527,315	110,823	3,289	114,112
Garhwal District ..	Ditto ..	5,612	230,168	251,189	481,357	44,800	1,238	46,038
Lucknow District ..	Ditto ..	967	227,403	199,794	427,197	17,283	485	17,768
Unao District ..	Ditto ..	1,787	396,718	352,019	748,737	19,514	755	20,269
Rae Bareli District ..	Ditto ..	1,745	432,932	419,717	852,649	19,482	1,000	20,482
Sitapur District ..	Ditto ..	2,250	495,384	429,194	924,578	41,906	1,307	43,213
Hardoi District ..	Ditto ..	2,332	523,430	442,485	965,915	29,940	903	30,843
Kheri District ..	Ditto ..	2,976	414,188	364,206	778,394	18,977	340	19,317

Ryzabad District ..	Ditto ..	1,732	524,588	519,537	1,044,125	18,504	806	19,310
Gonda District ..	Ditto ..	2,809	626,708	598,404	1,225,112	28,195	1,050	29,245
Bahraich District ..	Ditto ..	2,645	441,548	406,937	848,485	24,635	1,202	25,837
Sultanpur District ..	Ditto ..	1,713	438,824	448,697	887,521	16,673	696	17,369
Partabgarh District ..	Ditto ..	1,443	371,531	390,065	761,596	13,512	535	14,047
Bara Banki District ..	Ditto ..	1,759	446,208	405,747	851,955	35,613	1,818	37,431
Allahabad-cum-Benares ..	Muhammadan Urban ..	..	53,853	45,010	98,863	9,554	307	9,861
Lucknow-cum-Cawnpore ..	Ditto ..	..	84,639	66,297	150,936	19,891	890	20,781
Agra and Meerut-cum-Aligarh.	Ditto ..	..	75,839	59,732	135,571	9,842	300	10,142
Bareilly and Shahjahanpur-cum-Meradabad.	Ditto ..	..	78,169	70,337	148,506	10,454	418	10,872

APPENDIX III—(continued).

Name of constituency.	Class of constituency.	Area in square miles.	Population.			Electors.		
			Males.	Females.	Total.	Males.	Females.	Total.
Dehra Dun District (Muhammadan).	Muhammadan Rural ..	1,895	68,321	51,007	119,328	6,655	52	6,707
Saharanpur District (Muhammadan).	Ditto ..	1,427	118,674	100,335	219,009	10,368	256	10,624
Meerut District (Muhammadan).	Ditto ..	2,298	15 3,685	136,404	290,089	10,527	228	10,755
Muzaffarnagar District (Muhammadan).	Ditto ..	1,657	122,061	104,270	226,331	11,519	399	11,918
Bijnor District (Muhammadan).	Ditto ..	1,874	137,488	127,922	265,410	11,260	166	11,426
Bulandshahr District (Muhammadan).	Ditto ..	1,904	104,228	94,813	199,041	8,727	324	9,051
Aligarh, Muttra and Agra Districts (Muhammadan).	Ditto ..	5,251	118,621	100,063	218,684	7,304	135	7,439

Mainpuri, Etah and Farrukhabad Districts (Muhammadan).	Ditto	..	5,077	120,276	105,580	225,866	3,427	87	3,514
Etawah, Cawnpore and Fatehpur Districts (Muhammadan).	Ditto	..	5,701	91,096	83,582	174,878	4,645	351	4,996
Jhansi Division (Muhammadan).	Ditto	..	10,440	64,001	60,021	124,022	5,163	195	5,358
Allahabad, Jaunpur and Mirzapur Districts (Muhammadan).	Ditto	..	8,776	140,134	140,211	280,345	6,660	471	7,131
Benares, Ghazipur, Ballia and Azamgarh Districts (Muhammadan).	Ditto	..	5,831	218,851	176,474	395,325	7,590	299	7,889
Gorakhpur District (Muhammadan).	Ditto	..	4,528	168,843	161,798	330,641	2,216	69	2,285
Basti District (Muhammadan).	Ditto	..	2,802	167,210	158,583	325,793	5,011	137	5,148
North Moradabad (Muhammadan).	Ditto	..	936	101,195	93,193	194,388	8,277	136	8,413

APPENDIX III—(concluded).

Name of constituency.	Class of constituency.	Area in square miles.	Population.			Electors.		
			Males.	Females.	Total.	Males.	Females.	Total.
South Moradabad (Muhammadan).	Muhammadan Rural ..	1,349	102,015	91,422	193,437	9,100	176	9,276
Budaun District (Muhammadan).	Ditto ..	2,014	88,126	77,902	166,028	4,607	266	4,873
Shahjahanpur District (Muhammadan).	Ditto ..	1,726	47,150	42,606	89,756	1,964	79	2,043
Bareilly District (Muhammadan).	Ditto ..	1,579	106,823	95,667	202,490	5,102	145	5,247
Kumaun Division-cum-Pilibhit (Muhammadan).	Ditto ..	15,072	78,229	63,434	141,663	5,078	127	5,205
Gonda and Bahraich Districts (Muhammadan).	Ditto ..	5,454	239,188	225,690	464,878	11,282	361	11,643
Kheri and Sitapur Districts (Muhammadan).	Ditto ..	5,226	157,260	142,724	299,984	4,129	120	4,249

Hardoi, Lucknow and Unao Districts (Muhammadan).	Ditto ..	5,086	129,174	116,293	445,467	6,469	329	6,798
Fyzabad and Bara Banki Districts (Muhammadan).	Ditto ..	3,491	154,615	151,219	305,834	7,411	421	832
Sultanpur, Partabgarh and Rae Bareilly Districts (Muhammadan).	Ditto ..	4,901	143,387	150,292	293,679	7,366	318	7,684
European ..	European .. ..	..	..	..	..	4,129	553	4,682
Agra Landholders (North).	Landholders ..	..	..	..	..	243	37	380
Agra Landholders (South).	Ditto ..	..	..	..	..	302	34	336
Taluqdars	Ditto .. ..	..	..	..	..	314	59	373
Upper India Chamber of Commerce.	Commerce and Industry.	..	..	..	..	67	..	67
United Provinces Chamber of Commerce.	Ditto ..	..	..	..	..	103	..	103
Allahabad University ..	University .. ..	..	..	..	..	4,132	9	4,101

APPENDIX IV.

Election Petitions filed since 1920.

Constituency.	Grounds on which they are most commonly preferred.										Results.
	Bribery.	Undue influence.	Personation.	Publication of false statements.	Payment for conveyance; hiring and use of public conveyances.	Incurring expense without authority.	Late returns.	Issue of circulars, etc., without printer's name.	Invalid nominations, etc.	false returns.	
1920.											
Saharanpur, Non-Muhammadan Rural.	1	..	..	..	1	..	..	..	..	..	Unsuccessful.
Bulandshahr (East), Non-Muhammadan Rural.	..	..	1	..	..	..	..	..	..	..	Ditto.
Jaunpur, Non-Muhammadan Rural.	1	..	1	1	..	..	..	..	..	..	Successful.
Ballia, Non-Muhammadan Rural.	..	..	..	..	..	..	..	..	1	..	Ditto.
Basti, Non-Muhammadan Rural.	..	..	..	..	..	..	..	..	1	..	Ditto.
Total, 1920	2	..	2	1	1	..	..	..	2	..	
1923.											
Aligarh (East), Non-Muhammadan Rural.	..	..	..	..	..	..	..	..	1	..	Successful.
Muttra, Non-Muhammadan Rural.	1	1	1	1	..	..	..	..	..	..	Unsuccessful.
Aligarh (West), Non-Muhammadan Rural.	..	..	..	..	..	..	..	..	1	..	Successful.
Aligarh, Muttra and Agra, Muhammadan Rural.	..	..	..	..	..	..	..	..	1	..	Ditto.
Naini Tal, Non-Muhammadan Rural.	..	1	1	1	..	..	..	1	..	..	Withdrawn.
Muzaffarnagar, Muhammadan Rural.	1	1	..	1	..	..	..	..	..	1	Successful.
Kheri and Sitapur, Muhammadan Rural.	..	1	1	..	..	..	..	..	..	..	Unsuccessful.
Jalaun, Non-Muhammadan Rural.	..	1	1	1	1	..	..	1	..	..	Withdrawn.
Barailly, Non-Muhammadan Rural.	1	1	1	1	..	..	..	..	..	..	Unsuccessful.
Carried over	3	6	5	5	1	..	..	2	3	1	

APPENDIX IV—(continued).

Constituency.	Grounds on which they are most commonly preferred.										Results.
	Bribery.	Undue influence.	Personation.	Publication of false statements.	Payment for conveyance; hiring and use of public conveyances.	Incurring expense without authority.	Late returns.	Issue of circulars, etc., without printer's name.	Invalid nominations, etc.	False returns.	
Brought forward ..	3	6	5	5	1	..	..	2	3	1	
1923—(concluded).											
Bulandshahr (West), non-Muhammadan Rural.	1	1	..	1	..	..	..	..	..	..	Unsuccessful.
Bareilly, non-Muhammadan Urban.	1	..	1	1	..	..	..	1	..	..	Successful.
Basti, Muhammadan Rural.	1	1	..	1	1	..	..	..	..	..	Dismissed by Governor.
Mirzapur, non-Muhammadan Rural.	..	1	1	1	1	..	..	..	..	..	Ditto.
Bareilly, non-Muhammadan Urban.	..	1	..	..	..	..	..	1	..	..	Unsuccessful.
Muzaffarnagar, Muhammadan Rural.	1	1	..	..	..	..	..	1	..	..	Ditto.
Banares, Azamgarh, Ghazipur and Ballia, Muhammadan Rural.	..	1	1	1	..	..	..	..	..	..	Dismissed by Governor.
Agra, non-Muhammadan Urban.	1	1	1	1	..	..	..	1	1	..	Successful.
Ditto ..	1	1	1	1	1	..	..	1	..	..	Dismissed by Governor.
Total, 1923 ..	9	14	10	12	4	..	..	4	7	1	
1926.											
Mainpuri, non-Muhammadan Rural.	..	..	..	..	..	..	..	1	..	..	Successful.
Muzaffarnagar, non-Muhammadan Rural.	1	1	..	1	..	..	..	..	1	..	Withdrawn.
Bareilly, non-Muhammadan Urban.	1	1	1	1	..	..	..	1	1	1	Successful.
Dehra Dun, non-Muhammadan Rural.	..	..	..	..	..	..	..	..	..	1	Dismissed by Governor as time-barred.
Carried over ..	2	2	1	2	..	..	..	1	3	2	

APPENDIX IV.—(concluded).

Constituency.	Grounds on which they are most commonly preferred.										Results
	Bribery.	Undue influence.	Personation.	Publication of false statements.	Payment for conveyance; hiring and use of public conveyances.	Incurring expense without authority.	Late returns.	Issue of circulars, etc., without printer's name.	Invalid nominations, etc.	False returns.	
Brought forward ..	2	2	1	2	..	..	..	1	3	2	
1926—(concluded),											
Moradabad, non-Muhammadan Rural.	1	1	1	..	..	..	..	..	..	1	Withdrawn.
Mirzapur, non-Muhammadan Rural.	..	1	..	1	1	..	..	1	..	1	Ditto.
Jalaun, non-Muhammadan Rural.	1	1	1	..	1	..	..	..	1	..	Ditto.
Muzaffarnagar, Muhammadan Rural.	1	1	1	..	1	..	..	..	..	1	Unsuccessful.
Lucknow, non-Muhammadan Urban.	..	1	1	..	1	..	..	..	..	..	Withdrawn.
Moradabad South, Muhammadan Rural.	..	1	1	..	1	..	..	..	..	..	Ditto.
Meerut South, non-Muhammadan Rural.	1	..	..	..	1	..	..	..	..	1	Ditto.
Unao, non-Muhammadan Rural.	1	1	1	..	1	..	..	1	..	1	Unsuccessful (dismissed for failure to attend).
Farrukhabad, non-Muhammadan Rural.	1	1	1	1	1	..	..	1	..	1	Successful.
Sultanpur, non-Muhammadan Rural.	1	1	1	1	1	..	..	..	..	1	Ditto.
Lucknow-cum-Cawnpore, Muhammadan Urban.	..	..	1	..	..	..	1	..	..	..	Unsuccessful.
Agra, non-Muhammadan Urban.	1	..	1	..	1	..	..	..	1	1	Successful.
Almora, non-Muhammadan Rural.	..	1	..	1	..	..	..	..	..	..	Unsuccessful.
Total, 1926 ..	10	12	11	6	10	..	1	4	5	10	
GRAND TOTAL, 1920-1926.	21	26	23	19	15	..	1	8	14	11	

APPENDIX V.

(1) GOVERNMENT LEGISLATION.

1921.

Act I.—*The United Provinces Deputy President's Salary Act*: fixing the salary of the Deputy President at Rs. 5,000 per annum.

Act II.—*Intermediate Education Act, 1921*: making the intermediate stage of collegiate education part of high school education and placing high school and intermediate colleges under a special Board.

Act III.—*Allahabad University Act*: re-organizing the Allahabad University as a unitary teaching and residential university.

Act IV.—*Oudh Rent (Amendment) Act, 1921*: making important changes in the Oudh Rent Act of 1886 with the object of ensuring a reasonable fixity of tenure to the tenant.

Act V.—*United Provinces Land Revenue (Amendment) Act, 1921*: consequent on the last Act.

1922.

Act I.—*United Provinces Aerial Ropeways Act*: to facilitate the construction of aerial ropeways as a means of transport.

Act II.—*United Provinces Land Revenue (Patwaris Amendment) Act, 1922*: enabling patwaris to be transferred.

Act III.—*Bundelkhand Encumbered Estates (Amendment) Act*: enabling a proprietor's disability to be terminated in certain circumstances.

Act IV.—*United Provinces District Boards (Amendment) Act, 1922*: postponing elections till the new District Boards Bill had been passed.

Act V.—*United Provinces Medical (Amendment) Act, 1922*: enabling the University of Lucknow to elect members to the United Provinces Medical Council.

Act VI.—*United Provinces Municipalities (Tolls Limited Amendment) Act, 1922*: providing for the determination of toll limits for municipalities.

Act VII.—*The Canning College Act*: merging the Canning College in the University of Lucknow and transferring its property and liabilities to the University.

Act VIII.—*Allahabad University (Amendment) Act, 1922*: purely formal.

1922—(concluded).

Act X.—*The District Boards Act*: re-organizing the constitution of District Boards.

Act XII.—*United Provinces Board of Revenue Act*: depriving the Board of Revenue of its executive functions.

1923.

Act I.—*The Oudh Rent (Amendment) Act, 1923*: removing certain difficulties resulting from the legislation of 1921.

Act II.—*United Provinces Excise (Amendment) Act*: giving statutory authority to licensing boards and raising the age-limit for sale of liquor.

Act III.—*United Provinces Court-fees (Amendment) Act, 1923*: a financial measure.

Act IV.—*United Provinces Land Revenue (Amendment) Act, 1923*: dealing with difficulties created by a decision of the Board of Revenue with regard to the definition of *sir*.

Act V.—*United Provinces Stamp (Amendment) Act*: a financial measure.

Act VI.—*United Provinces Motor Vehicles Taxation Act*: a financial measure.

Act VII.—*United Provinces Court-fees (Second Amendment) Act, 1923*: purely formal.

Act VIII.—*Agra Pre-emption (Amendment) Act, 1923*: purely formal.

1924.

Act I.—*United Provinces Board of Revenue (Amendment) Act, 1924*: depriving the Board of Revenue of its powers under certain Acts.

Act II.—*United Provinces Stamp (Second Amendment) Act, 1924*: extending the duration of the United Provinces Stamp (Amendment) Act, 1923.

Act IV.—*Agra Estates (Amendment) Act, 1924*: conferring on landholders in Oudh the rights enjoyed by landholders in the Agra Province under the Agra Estates Act, 1920.

Act V.—*United Provinces Board of Revenue (Second Amendment) Act, 1924*: purely formal.

1925.

Act II.—*United Provinces Opium-smoking Act, 1925*: providing for the control of the practice of opium-smoking.

Act III.—*United Provinces Legislative Council Salary of President Act, 1925*: fixing the salary of the elected President at Rs. 2,000 per mensem.

1925—(concluded).

Act IV.—*The Oudh Courts Act, 1925*: establishing a Chief Court in Oudh and amending and consolidating the law relating to subordinate civil courts.

Act V.—*The Agra Civil Courts (Amendment) Act, 1925*: increasing the pecuniary jurisdiction of subordinate courts.

1926.

Act I.—*United Provinces District Boards Primary Education Act, 1926*: empowered District Boards to introduce compulsory primary education in rural areas.

Act III.—*The Agra Tenancy Act, 1926*: making important changes in the Agra Tenancy Act, 1901, with the object of securing for tenants in the province of Agra fixity of tenure and fair rents.

Act IV.—*United Provinces Municipalities (Amendment) Act, 1926*: empowering municipal boards to delegate duties or functions to Government servants.

Act V.—*The Oudh Rent (Amendment) Act, 1926*: empowering tenants to relinquish those parts of the holding which, owing to inaccessibility resulting from the construction of the Sarda Canal, it is no longer worth his while to cultivate.

Act VI.—*United Provinces Land Revenue (sir Amendment) Act, 1926*: bringing the definition of *sir* in the Land Revenue Act, 1901, into conformity with that in the Agra Tenancy Act.

Act VII.—*United Provinces District Boards (Amendment) Act, 1926*: empowering District Boards to delegate powers, duties or functions to Government servants.

Act VIII.—*The Agra University Act, 1926*: establishing a university at Agra.

Act IX.—*United Provinces Legislative Council Salary of President (Amendment) Act, 1926*: making provision in regard to the residence and travelling allowance of the President.

1927.

Act I.—*The United Provinces Deputy President's Salary (Amendment) Act*.

1928.

Act II.—*United Provinces District Boards (Amendment) Act*.

(2) PRIVATE LEGISLATION.

1921.

Nil.

1922.

Act IX.—*The United Provinces Municipalities (Amendment) Act, 1922.*

Act XI.—*The Agra Pre-emption Act, 1922.*

1923.

Nil.

1924.

Act III.—*An Act to amend the District Boards Act, 1922.*

1925.

Act I.—*An Act further to amend the United Provinces Public Gambling Act, 1867.*

1926.

Act II.—*The United Provinces Municipalities (Amendment) Act, 1926.*

1927.

Act II.—*The Agra Province Zamindars' Association Contribution Act.*

1928.

Act I.—*The United Provinces Estates (Amendment) Act, 1928.*

APPENDIX VI.

A.—Statement showing demands for grants rejected by the legislative council and restored by the Government or under section 72-D (2)(a) of the Government of India Act.

Budget year.	Head of Service to which demand relates.	Amount restored.	Remarks.
		Rs.	
1921-22 ..	8—Forest	33,200	For salaries of the superior officers of the Forest department.
1922-23 ..	.. ..	..	..
1923-24 ..	26—Police Criminal Investigation department—Re-organization of the Criminal Investigation department.	4,100	The gross requirement was Rs. 4,100. The demand put forward was in the form of a token supplementary estimate for Rs. 10, which was rejected by the legislative council.
1924-25 ..	(1) 5—Land Revenue, Survey and Settlement.	3,60,000	For revision of records.
	(2) 8—Forest	17,370	For Utilization Circle.
	(3) 8— Do.	20,000	Error in subtraction on the part of the President when putting a reduced demand under Forest to vote.
	(4) 12—Miscellaneous Railway expenditure.	2,000	..
1925-26 ..	(1) 5—Land Revenue, Survey and Settlement.	7,38,508	For expenditure on settlement operations.
	(2) 8—Forest	2,00,000	For Kumaun Forest Circle.
	(3) 26—Police	62,600	For the pay and travelling allowance of the Deputy Inspectors-General of Police and the Deputy Inspector-General of Criminal Investigation department.

APPENDIX VI—(continued).

Budget Year.	Head of Service to which demand relates.	Amount restored.	Remarks.
1926-27 ..	(1) 5—Land Revenue, Survey and Settlement.	Rs. 8,24,350	For expenditure on Settlement operations in the province.
	(2) 5—Land Revenue Management of Government Estates.	11,265	For Sanitary Survey and Sanitary works in the Tarai and Bhabar estates.
	(3) 5—Land Revenue, Survey and Settlement.	1,68,407	For pay of Settlement Officers and establishment and staff of Settlement Commissioner.
1927-28 ..	(1) 22—General Administration, General Secretariat; Pay of establishment.	33,000	For restoration of the provision for clerical staff in the Appointment department of the Secretariat.
	(2) 22—General Administration on Commissioners.	2,00,000	For staff and other expenses of certain Commissioners.
	(3) 5—Land Revenue, Survey and Settlement.	9,23,742	For settlement operations.

APPENDIX VI—(continued).

B.—Statement showing the amount of expenditure authorized by the Governor of the United Provinces under section 72-D (2) (b) of the Government of India Act.

Budget year.	Head of Account to which the expenditure relates.	Amount authorized.	Remarks.
		Rs.	
1921-22 ..	(1) 26—Police (2) Ditto	50,000 30,000	For expenditure on additional police. For expenditure on the purchase of Ford vans for the use of the Police department.
1922-23 ..	(1) 43—Famine Relief and Insurance, A—Famine Relief. (2) Loans and Advances by the Provincial Government (Met from Famine Insurance Fund).	5,000 7,50,000	For grant of relief to those who suffered as a result of the floods in the Unao district. For grant of advance to agriculturists in the flooded areas. <i>Note.</i> —Supplementary estimates were presented before the Council in respect of both these items on November 2, 1922, and they were duly voted.
1923-24 ..	Nil.	..	..
1924-25 ..	(1) XIII A—1—Irrigation working expenses. (2) 41—Civil Works .. (3) XIII-A (i)—Productive Works—Working expenses. (4) 43—Famine Relief and Insurance—A—Famine Relief. (5) Famine Insurance Fund (6) 41—Civil Works—Grants-in-aid.	3,00,000 3,00,000 41,200 7,50,000 22,25,000 10,000	For repairs to Irrigation works—damage by the floods of September, 1924. For repairs to roads, bridges, etc., of the Province, damaged by floods. For the maintenance of a temporary division known as "Special Repairs Division, Upper Ganges Canal," in the Irrigation department. For <i>tagavi</i> advances. For payment to the Jaunpur District Board to carry on the work of constructing a new dispensary building.

APPENDIX VI—(concluded).

Budget year.	Head of Account to which the expenditure relates.	Amount authorized.	Remarks.
		Rs.	
1925-26 ..	34—Agriculture—Veterinary	36,875	For the purchase of serum.
1926-27 ..	34—Agriculture—Veterinary	50,000	For the purchase of serum required by the Civil Veterinary Department for inoculation against cattle disease.
1927-28 ..	41—Civil Works—Repairs—Communications.	1,80,000	To meet the cost of special repairs due to monsoon damages.

APPENDIX VII.

(i) Statement showing the action taken by Government on resolutions adopted by the legislative council during 1921 to February 1928.

Number.	Date.	Subject.	Action taken.
	1921.		
1	February 15 ..	Exemption of Members of Legislative Council and others from Arms Act.	Proceedings forwarded to the Government of India.
2	February 16 ..	Reversion to old irrigation rates.	Old rates restored in respect of gram.
3	Ditto ..	Abolition of existing age-limit for Matriculation and S. L. C. examinations.	Age-limit abolished.
4	Ditto ..	Stoppage of Burma meat trade.	Government have examined the whole question, and after considering the statistics have decided that there are no strong grounds for under taking special legislation without which the trade cannot be stopped.
5	March 2 ..	Location of Subordinate Judge's Court at Fatehpur.	Court permanently located at Fatehpur.
6	Ditto ..	Provision of more dispensaries.	A scheme to help in the opening of dispensaries and to induce private medical practitioners to settle down to practice in all the important rural centres of the province by granting subsidies to district boards for the purpose is being gradually carried out, and several such dispensaries have already been established, and a number of private medical practitioners have started practice in rural areas.
7	March 5 ..	Abolition of coolie <i>utar</i> in the Kumaun division.	Coolie <i>utar</i> abolished.
8	Ditto ..	Extension of <i>Id</i> holidays ..	Orders issued.
9	March 31 ..	Extension of <i>Muharram</i> holidays.	District officers instructed to give extra days to Muhammadan clerks.
10	April 1 ..	Dates of Council session ..	Dates adhered to as far as possible.

APPENDIX VII—(continued).

Number.	Date.	Subject.	Action taken.
	1921—(contd.).		
11	April 1 ..	Competitive examination for deputy collectors.	System of competitive examination introduced.
12	April 5 ..	Removal of disability for appointment in Government service of persons who have passed the Intermediate and Matriculation examinations.	Disability removed.
13	Ditto ..	Revision of certain rules relating to secondary schools.	Government accepted the resolution. Director of Public Instruction instructed to take necessary action.
14	April 6 ..	Protest against increased pay of Indian Medical Services.	Proceedings forwarded to the Government of India.
15	Ditto ..	Patwaris will be liable to transfer.	Land Revenue (Patwaris Amendment) Act passed.
16	Ditto ..	Separation of Judicial and Executive functions.	Government of India have been addressed in the matter.
17	July 9 ..	Accommodation of members of Legislative Council in Lucknow.	Imperial Hotel acquired.
18	July 10 ..	Withdrawal of Seditious Meetings Act.	Act withdrawn.
19	August 8 ..	Religious instruction in Government schools.	Education Code amended to allow instruction to be imparted without compulsion.
20	August 9 ..	Indian managers for the Court of Wards.	Sent to Board of Revenue for necessary action.
21	Ditto ..	Provision of well-boring apparatus in each district.	Thirty-eight districts now supplied.
22	October 24 ..	Appointment of Standing Committee on Publicity.	Committee appointed.
23	December 2 ..	Reduction of United Provinces contribution to the Government of India.	Matter referred to the Government of India.
24	December 5 ..	Procedure of hearing of income-tax appeals.	Instructions issued to Income-tax Commissioner in terms of recommendation with slight modification.
25	December 6 ..	Mail train service of Bengal and North-Western Railway.	Train service accelerated.

APPENDIX VII—(continued).

Number.	Date.	Subject.	Action taken.
	1921—(concl'd.).		
26	December 6 ..	Exercise of the prerogative of mercy in respect of Fyzabad and Rae Bareilly rioters.	Cases of all prisoners were considered and 36 released.
27	Ditto ..	Training of probationers for the Indian Forest Service.	Recommended to the Government of India. The Secretary of State has sanctioned the creation of an Imperial Forest College, Dehra Dun, where probationers for the Indian Forest Service ordinarily be trained and where facilities for private students will also be available.
28	December 7 ..	Abolition of superintending engineers.	The Public Works Committee opposed this proposal for Irrigation Branch, and this Government concurred with their view.
29	Ditto ..	Supply to informant of copy of report of non-cognizable offences.	New form adopted for the purpose.
30	Ditto ..	Introduction of time-scale for subordinate educational service.	No action possible for financial reasons. A similar resolution was moved on December 21, 1925, but was withdrawn without any assurance from Government.
	1922.		
31	January 23 ..	Criminal Law Amendment Act.	Act withdrawn.
32	January 26 ..	Cancellation of recent increase in charges for partition.	Cannot be carried out for financial reasons.
33	January 30 ..	Deputy superintendents of police.	No action taken.
34	March 3 ..	Dacoities in Bijnor, Moradabad, and Naini Tal.	Special police measures have been taken.
35	March 30 ..	Training centre for <i>dhais</i> ..	Arrangements for the training of <i>dhais</i> have been made at 51 hospitals in these provinces.
36	Ditto ..	Establishment of an industrial school at Fatehpur.	Government have opened a training school.
37	March 31 ..	July council session to be held in Naini Tal instead of in Lucknow.	Action not taken because no accommodation.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1922—(contd.).		
38	October 24 ..	Appointment of a committee to inquire into alleged terrorism in Basti.	Government declined to appoint a committee.
39	Ditto ..	Forest administration in Kumaun.	The portion of resolution relating to the repeal of section 78 of the Forest Act and removal of restrictions on shooting was withdrawn and instructions were issued to district officers on the portion of the resolution regarding the grant of licences.
40	October 25 ..	Withdrawal of Criminal Law (Amendment) Act.	Act withdrawn.
41	October 26 ..	Time-scale for sub-deputy inspectors of schools.	Time-scale of pay sanctioned with effect from April 1, 1925.
42	Ditto ..	General amnesty for political prisoners.	Special division prisoners released.
43	October 27 ..	Non-official visitors for district and central jails.	Orders issued.
44	December 12 ..	Effect to be given to the recommendations of the <i>Rasad</i> and <i>Begar</i> Committee.	Effect given to report.
45	December 13 ..	Extension of term of settlements.	The settlements of which the operations commenced in October, 1926, are to be for 40 instead of 30 years.
46	Ditto ..	Retrenchment Committee ..	Committee appointed.
47	Ditto ..	Educational test for honorary magistrates and honorary assistant collectors.	Instructions issued to commissioners.
48	December 14 ..	Cancellation of restrictions imposed in the Rohilkhand division and other districts of the United Provinces as regards the possession of swords, spearheads, and daggers.	The restrictions were cancelled.
49	Ditto ..	Formation of Standing Committees.	Local Self-Government, Municipal, and Medical Committee formed.
50	Ditto ..	Schools of indigenous medicine.	Steps are being taken to establish a State-aided Ayurvedic school at Hardwar and a State-aided Unani school at Lucknow.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1922—(concl'd.).		
51	December 15 ..	Order passed by Deputy Commissioner of Naini Tal regarding the tahsildar of Kaladhungi.	Entry from tahsildars' character rollerased.
	1923.		
52	January 19 ..	Government action on resolutions adopted by Council.	No action taken.
53	January 30 ..	Time-scale for model school teachers.	Under consideration.
54	January 31 ..	Establishment of Chief Court of Oudh.	Chief Court has been established.
55	February 1 ..	Women's franchise ..	Regulation issued removing disqualification for registration of women.
56	February 2 ..	Increase in water-rates ..	The occupier's rates on sugarcane crops in respect of all lands irrigated by the Upper Ganges and Eastern Jumna Canals were reduced from Rs. 12 to Rs. 10.
57	February 26 ..	Grant of two more district magistracies to Provincial Executive service.	No action taken.
58	February 7 ..	Amendment of Electoral Regulations.	Committee appointed and regulations revised.
59	Ditto ..	Establishment of a university at Agra.	Act passed in 1926. The University came into being from July, 1927.
60	March 22 ..	Representation of Agra Zamindars in Legislative Council.	Forwarded to the Government of India, who have intimated that the Secretary of State has decided that, pending a general revision of the franchise, no change can be made.
61	March 29 ..	Retention by Government of the Imperial Hotel, Lucknow.	Resolution accepted.
62	Ditto ..	Building of new Council Chamber.	Ditto.
63	October 26 ..	Whipping in jails ..	No action taken.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1923—(contd.).		
64	October 26 ...	Appointment of Indians to certain posts (Chief Conservator of Forests, Deputy Inspector-General of Police and Member of Board).	No action taken.
65	Ditto ..	Encouragement of hand-weaving and hand-spinning.	Resolution accepted and action being taken.
66	Ditto ..	Separation of Judicial and Executive functions.	Government of India have been addressed in the matter.
67	Ditto ..	Abolition of districts ..	No district abolished.
68	Ditto ..	Grant of holiday on <i>Mahalaya Amawas</i> .	District officers asked to grant a local holiday. Where this cannot be done Hindus who desire to observe the festival should be allowed leave up to 1 p.m.
69	October 27 ..	Prevention of floods on the Goomti.	The scheme for protection of Lucknow from floods was thoroughly investigated by the Irrigation Branch and forwarded to the Improvement Trust, Lucknow, for necessary action.
70	Ditto ..	Modification of Conscience Clause in Educational Code.	Necessary amendments have been made in the Conscience Clause.
	1924.		
71	January 28 ..	Codification of the principles of land revenue assessment and settlement.	Government introduced a Bill for the purpose in the Council in 1926. But Council declined to pass the bill in a form which Government could accept; Government, therefore, dropped it; they have embodied the principles of the Bill in the new settlement rules.
72	January 29 ..	Establishment of a university at Agra.	See no. 59 above.
73	Ditto ..	Establishment of district advisory committees.	No action taken.
74	Ditto ..	Conferment of civil appellate powers on I.C.S. joint magistrate.	The principle of the resolution has been accepted.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1924—(contd.).		
75	January 30	Remission of sentences on persons convicted of incendiarism in Kumaun in 1921-22.	A senior judge was appointed to examine the cases of these prisoners and a number of them released on his recommendation.
76	Ditto ..	Discontinuance of practice of obtaining opinion of trying magistrates in cases under section 110, Criminal Procedure Code.	The recommendation of the Council was given effect to.
77	February 27 ..	Application of the Musalman Waqf Act, 1923, to the United Provinces.	The Act has been applied to all districts, and Government have made rules which have been finally published.
78	Ditto ..	Remission of Court-fees on copies required for private use.	The remission in question has been granted.
79	Ditto ..	Complaints by Government servants to members of Council.	The position was explained in course of debate. No action taken.
80	Ditto ..	Separation of Judicial and Executive Functions.	Government of India have been addressed in the matter.
81	February 28 ..	Reduction of irrigation rates.	A Bill to amend the Northern India Canal and Drainage Act, 1873, was introduced by Government in the Council, but was subsequently withdrawn owing to non-official opposition.
82	Ditto ..	Discontinuance of settlement operations.	Settlement operations were stopped except in Muttra till the Council had an opportunity of passing a codifying Act. When the Bill was dropped in 1926 settlements re-commenced.
83	Ditto ..	Treatment of applications for bail.	Government have drawn the attention of district magistrates to the law on the subject.
84	April 2 ..	Reservation of two civil surgeoncies for private medical practitioners.	Being considered in connexion with the report of the Lee Commission on superior services.
85	Do. ..	Action taken by Government on non-official resolutions.	No action taken.
86	April 3 ..	Release of Musammat Parbati Debi.	The prisoner has been released.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1924—(contd.).		
87	April 3 ..	Compulsory primary education.	Compulsion has been introduced in 25 municipalities (part or whole). As regards district boards, Act no. I of 1926 was passed. Schemes are being worked out for such districts as are ready to introduce compulsion.
88	April 4 ..	Establishment of Ayurvedic and Unani Colleges.	Steps are being taken to establish a State-aided Ayurvedic College at Benares and a State-aided Unani College at Aligarh.
89	September 8 ..	The Lee Commission ..	Resolution and debate have been forwarded to the Government of India.
90	September 9 ..	Allotment of funds from the Famine Insurance Fund for encouragement of cottage industries.	No action has been taken.*
91	Ditto ..	Application of the Musalman Waqf Act.	See no. 77 above.
92	September 10 ..	Separation of judicial and executive functions.	Government of India have been addressed in the matter.
93	Ditto ..	Release of political prisoners.	Certain prisoners were released some months later.
94	Ditto ..	Treatment of political prisoners.	No action has been taken.
95	September 11 ..	Sale of minor girls ..	A Bill has been drafted and is being submitted to the Governor-General for previous sanction.
96	Ditto ..	Teaching of spinning in schools.	The subject has been included in the curricula for girls' schools as an optional subject.
97	December 15 ..	Release of prisoners convicted in the Gonda <i>Muharram</i> riot case.	No action taken.
98	Ditto ..	Extension of the <i>Diwali</i> and <i>Holi</i> holidays.	Holidays extended from two to three days, and "last Saturdays" holidays in March and October abolished.

* The reason for taking no action is that, as explained in the course of the debate, the object in question is not one for which, under the Statutory Rules, the Famine Insurance Fund can be used.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1924—(concl'd.).		
99	March 3 ..	Postponement of fresh settlement operations.	See no. 82 above.
100	December 16 ..	Bringing Kumaun under the civil jurisdiction of the High Court.	Kumaun has been brought under the civil jurisdiction of the High Court from April 1, 1926.
101	December 17 ..	Remedial measures for damage caused by the floods.	Steps have been taken to alleviate the sufferings of people in the flood-affected tracts. A resolution showing in detail the action taken was issued.
102	Ditto ..	Keeping of suspected cases of insanity among Indians under observation in hospitals instead of in jails as in the case of Europeans.	Steps have been taken to give effect to this resolution.
103	December 18 ..	Grant to the Hindu University at Benares.	No action has been taken.
104	December 19 ..	Increased representation of Agra landholders in the Legislative Council.	A copy of the resolution and the debate thereon was forwarded to the Government of India.
105	Ditto ..	Grazing fees	No action is proposed to be taken at present.
106	Ditto ..	Remission of provincial contribution in view of floods.	No action has been taken.*
107	Ditto ..	Remission of provincial contribution.	The resolution with the debate on the subject has been forwarded to the Government of India.*
	1925.		
108	January 26 ..	Introduction of technical education in vernacular and Anglo-vernacular schools.	Manual training classes have been started in middle vernacular schools, and the number of agricultural classes in these schools has been increased.
109	January 27 ..	Appointment of a committee to inquire into, and report on the extent of, corruption among public servants.	No committee was appointed, but the Government issued detailed confidential instructions.

*The contribution has since been remitted in full.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1925—(contd.).		
110	January 28 ..	Revision of the constitution on municipal boards and notified and town area committees having a minority or a bare majority of elected members by allowing majority of elected members and giving the right to elect a non-official chairman.	All the municipalities and all the town areas except one have been given a substantial majority of elected members, as also most of the notified areas. The municipalities and notified areas have also, with a few exceptions, been given the right to elect a non-official chairman.
111	January 30 ..	Liberalization of arms rules.	No action taken.
112	February 27 ..	Appointment of a committee to inquire into, and report on the necessity of, incurring further expenditure on record operations in the province.	Ditto.
113	February 28 ..	Instruction and training in nationalism and social service in all Government and aided educational institutions.	A notice, dated September 12, 1925, was issued by the Secretary, Provincial Text Book Committee, and was published in Part IV of the <i>United Provinces Gazette</i> , dated September 26, 1925.
114	March 2 ..	Grant-in-aid to the Muslim University, Aligarh.	No action taken.
115	Do. ..	Arrangements for reporting speeches made in Hindi and Urdu by the members of the Council and to publish vernacular editions of the reports of the Council proceedings.	A vernacular shorthand reporter has recorded speeches since December, 1925.
116	Do. ..	Appointment of a committee to consider and report whether any amendments are required in the Court of Wards Act.	A committee was appointed and has reported. Government were unable to accept its main recommendation, altering the constitution of the Court of Wards; the other proposals are being examined.
117	March 3 ..	Fees at local fairs ..	No action taken.
118	Do. ..	Legal recognition of privileges of the United Provinces Legislative Council.	Under consideration.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1925—(contd.).		
119	March 3 ..	Physical training in schools	A committee was appointed to consider the question. Its report is under the consideration of Government.
120	March 4 ..	Formation of standing committees or advisory boards for such departments of the Government as have no such committees or boards at present.	No action taken.
121	Do. ..	Adoption of Urdu and Hindi as media of examination and instruction for all subjects except English for High School Examination.	The following regulation of the Intermediate Board has been sanctioned by the Minister of Education :— “Candidates for the High School Examination are permitted to answer questions in English or in Urdu or Hindi in all subjects other than English”. As regards the medium of instruction certain options have been sanctioned in particular subjects.
122	Do. ..	Formation of departmental standing committees in the Medical Department and the grant of permission to members to bring forward new matter for consideration.	Members of the existing committees have been permitted to suggest matters provided notice has been received in sufficient time and that the president of the committee concerned considers the matter a fit subject for discussion.
123	March 21 ..	Members of Legislative Council to be allowed to visit all institutions in their respective constituencies under the direct control of the Transferred departments.	Orders have been issued that Members of Legislative Councils should be permitted to visit certain institutions.
124	April 1 ..	Excise policy of Government	Government have determined to maintain their restrictive policy.
125	Do. ..	Report of Muddiman Committee.	Proceedings were forwarded to the Government of India.
126	April 3 ..	Report of the Muddiman Committee.	Ditto.
127	August 20 ..	Alleviation of unemployment among educated classes.	A departmental committee is considering the question.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1925—(contd.).		
128	August 22 ..	Reform of jail administration	Jail Manual is under revision, and a committee to examine and report on jail administration is being appointed.
129	Do. ..	Recommendation that the residents of the places where punitive police were stationed be absolved from the liability for the payment of the punitive police tax from August 1, 1925.	The Government considered all cases in which the punitive police were then employed and decided to withdraw the police in one case. In all but two of the remaining cases the sanctioned periods were so soon to expire that no action was necessary.
130	Do. ..	Acceleration of the building of the new Council Chamber.	Accepted.
131	December 17 ..	Removal of caste restrictions in public services.	Police Regulations were amended.
132	Ditto ..	Provision of three days' holiday in <i>Id-uz-Zuha</i> .	No action taken.
133	Ditto ..	Arrest of zamindars for non-payment of revenue.	Ditto.
134	Ditto ..	Caste restrictions for entry into Police.	See no. 131 above.
135	December 18 ..	Promotion of adult education in municipal and rural areas.	Under consideration.
136	Ditto ..	Removal of Kumaun from the operation of scheduled Districts Act.	Ditto.
137	Ditto ..	Issue of instructions to record officers that in districts where record operations are going on they should not disturb the existing <i>sir</i> rights wherever they are corroborated by the last (current) settlement entries.	Orders have been issued on the lines recommended.
138	December 18 and 19.	Disposal of remissions from provincial contribution.	No action taken. The position explained in course of debate.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1925—(contd.).		
139	December 22 ..	Abolition of commissioner-ships.	No action contemplated till the effect of new tenancy legislation on commissioners' appeals is known, but the Government of India have rejected Proposals to abolish commissioners wholesale.
140	December 23 ..	Nomination of a member from among depressed classes for each municipality and notified area.	Nominations made where suitable representatives found.
141	Ditto ..	Establishment of translation bureau.	Scheme being worked out Rs. 25,000 non-recurring sanctioned.
142	Ditto ..	Issue of instructions to all record and settlement officers to the effect that they should not force or ask the zamindars to pay for the coolies employed by the amins for doing survey work, or to supply such coolies at their own expenses.	Orders have been issued on the lines recommended.
	1926.		
143	January 19 ..	Halting allowance for patwaris.	No action taken.
144	January 20 ..	Withholding of Government aid to institutions which exclude Indians from managing committees, etc.	No action found necessary.
145	Ditto ...	Appointment of a committee of the Muslim members of the Council and of the leading <i>ulemas</i> and <i>mujtahids</i> in order that the said committee might recommend suitable measures for making provision for the compulsory registration of marriages among Muslims of these provinces.	A committee has been appointed.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1926—(concl'd.).		
146	January 20 ..	Setting apart a few days in the week or a few hours by sub-divisional officers for disposal of rent of revenue cases exclusively.	Board of Revenue asked to call the attention of commissioners and issue necessary instructions.
147	Ditto ..	Throwing open of various institutions to Indians.	Under consideration.
148	Ditto	Monetary grant or concessions to institutions excluding Indians.	No action found necessary.
149	January 22 ..	Interference of Government servants with elections.	Insertion of new paragraph (no. 331-B.) in Manual of Government Orders and attention of district magistrates, etc., drawn to it.
150	Ditto ..	Participation of Government servants in elections and use of influence in election of members to Council and other local bodies.	Instructions issued.
151	March 31 ..	Appointment of a committee to advise what steps should be taken for the better management of Hindu religious endowments.	Under consideration.
152	April 8 ..	Institution of poor-houses at convenient centres, provision of free education for the children, and grant of grant-in-aid.	Attention of local bodies drawn.
153	Do. ..	Removal of Baghpat munsifi from Ghaziabad to Baghpat.	High Court addressed in the matter, and they have taken certain action to meet the wishes of the public.
154	August 7 ..	Rent of residences provided for Ministers.	Orders issued giving effect to recommendation.
	1927.		
155	January 24 ..	Making physical education and use of fire-arms in recognized institutions compulsory.	Government are taking action to make physical training compulsory in all recognized institutions and to draw up a graded syllabus of instruction in physical training for all classes.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1927—(contd.).		
156	January 25 ..	Local option and total abstinence from liquor.	A Bill embodying the principle of local option has been published for criticism.
157	Ditto ..	Construction of female wards for Indians in hospitals and dispensaries.	Government are taking action in order to give facilities for female medical relief.
158	Ditto ..	Amendment of rule 10(3), District Board Education Rules, with notification no. 383/XV—804, dated June 6, 1925.	Government are taking necessary action.
159	January 26 ..	Rescinding Education Department notification L.O. A-478, XV—519-1921, dated December 22, 1927.	No action taken.
160	Ditto ..	Increasing <i>kans</i> area in Bundelkhand.	Government have sanctioned a scheme of experiments in Bundelkhand with the object of eradicating <i>kans</i> .
161	January 27 ..	Abolition of posts of commissioners.	See no. 139 above.
162	Ditto ..	Grant for Benares Hindu University.	No action taken.
163	January 28 ..	Improvement of rural areas	Under consideration.
164	June 27 ..	District Board roads ..	Ditto.
165	Do. ..	Supervision of entries in police registers.	No action taken.
166	June 28 ..	Scheme of Mr. H. R. Harrop regarding the United Provinces District Board Primary Education Act.	
167	Do. ..	Propaganda to encourage agricultural farming.	Action taken is explained in annual report of the department for 1927-28.
168	June 29 ..	Publication of correspondence in the case of Rai Bahadur A. C. Mukerji's promotion.	No action taken by Government.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1927—(concl'd.).		
169	June 29 ..	Relieving of Municipal and District Boards of a major portion of the cost incurred on the maintenance of district hospitals.	Government are considering means to improve the conditions of sadr hospitals.
170	Do. ..	Muslim public and charitable waqfs.	Action is being taken to appoint a committee.
171	Do. ..	Increase in the number of Indian Secretaries, Deputy Secretaries, and under Secretaries to Government.	No action taken.
172	Do. ..	Maintenance of Indian Art.	
173	Do. ..	Number of pays to be allotted for Council sessions and non-official business.	Ditto.
174	June 30 ..	Award of full market value of property as compensation for the land acquired under the Land Acquisition Act.	Under consideration.
175	November 1 ..	Eligibility of women for membership of the Legislative Council.	Sex disqualification removed and regulations amended.
176	Ditto ..	Separation of judicial and executive functions.	Copy of resolution forwarded to the Government of India.
177	November 2 ..	Reclamation of criminal tribes.	No action taken as Government are prepared to give established organizations all reasonable assistance in reclamation work.
178	Ditto ..	Increase in the grant to district boards for medical purposes.	No action has been taken. A special committee is considering district board finances.
179	November 3 ..	Location of Baghpat munsifi	Copy forwarded to the High Court for expression of opinion. The Court are opposed to the removal of the munsifi.
180	Ditto ..	Mukhtars and revenue agents of Agia Province practising in Oudh.	Copy of the resolution forwarded to the Chief Court for such action as the Court thought desirable.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
1928.			
181	February 22 ..	Appointment of a committee regarding honorary officers.	It is proposed to address district magistrates with a view to weeding out undesirable honorary magistrates.
182	February 23 ..	Extension of <i>Muharram</i> holidays.	Under consideration.
183	Ditto ..	Prohibition of the sale of adulterated <i>ghee</i> .	Ditto.
184	February 25 ..	Simon Commission ..	No action taken.
185	February 27 ..	Appointment of a committee on middle class unemployment.	Under consideration.

APPENDIX VII—(continued).

(ii) Statement showing the action taken on resolutions withdrawn on an assurance from Government during 1921 to February, 1928.

Serial no.	Date.	Subject.	Action taken.
	1921.		
1	February 15 ..	Abolition of the Board of Revenue.	Executive functions transferred by Board of Revenue Act.
1A	Ditto ..	Appointment of a committee to enquire into causes of certain agrarian riots and propriety of Government action.	No action.
2	February 18 ..	Creation of the Civil Medical Service in the United Provinces.	Matter still under reference to the Government of India.
3	Ditto ..	Transfer of district judges, magistrates, etc.	No action taken.
4	February 21 ..	Provision of benches in courts for litigants.	Necessary funds could not be provided.
5	February 23 ..	Establishment of Ayurvedic and Unani dispensaries.	Rupees 20,000 distributed in 1921 to assist such dispensaries and Rs. 30,000 provided in 1922 for this purpose.
6	March 2 ..	Shortage of cattle ..	Provincial cattle-breeding committee appointed.
7	March 4 ..	Presentation of appeals to the Board of Revenue.	Rules amended.
8	Do. ..	Stoppage of professional begging in public streets.	Attention of municipal boards drawn to the matter.
9	Do. ..	Trial of cases at headquarters	Additional staff could not be provided for financial reasons, but instructions issued that all possible cases should be tried at headquarters.
10	March 12 ..	Migration of Government to hills.	Considerable restrictions have been imposed.
11	March 31 ..	Kashatriyas in Judicial service	Proceedings brought to the notice of the High Court and Judicial Commissioner.
12	April 1 ..	Forest settlement in Kumaun	Commissioner, Kumaun division, was asked to bring the resolution to the notice of the Kumaun Grievances Committee.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1921—(contd.).		
13	April, 1 ..	Acquisition of land in Gorakhpur by Forest department.	Proposal for compulsory acquisition has been dropped.
14	April 4 ..	Extension of jury system ..	The jury system has been extended to three more districts.
15	April 5 ..	Revision of Educational Code.	A Committee was appointed to revise the Code. Government orders have been passed on its recommendations.
16	Do. ..	Appointment of non-official secretaries by district boards.	No district boards have yet asked for non-official secretaries. Under the District Boards Act of 1922 the sanction of Government is not required to the appointment of district board secretaries.
17	Do. ..	Revision of the Court of Wards Act.	Position explained in debate on Land Revenue demand.
18	Do. ..	Protection of the hill tracts of the Mirzapur district from famine.	No action taken.
19	July 29 ..	Bribery among Government servants.	Instructions issued that all cases of alleged corruption should be thoroughly investigated and exemplary punishment given where corruption proved.
20	Do. ..	Improvement of copying establishment in collectors' offices.	Piece-work system was introduced first, but it did not prove a success and had to be abandoned. The post of copyist at headquarters has been made pensionable, with effect from April 1, 1926.
21	July 30 ..	Recruitment of Indian Police service.	Proceedings sent to the Government of India.
22	August 8 ..	Provincial Commercial Museum at Cawnpore.	Action could not be taken for financial reasons.
23	Do. ..	Vacation of civil courts ..	Vacation altered to May and June first, but subsequently High Court reverted to old arrangement of vacation in September and October.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1921—(concl'd.).		
24	August 8 ..	Industrial school at Mirzapur	The Government have given Priority in opening industrial school to places where the need is the greatest.
25	Do. ..	Rate on canal water used for <i>paleo</i> .	New rules issued.
26	Do. ..	<i>Kiari</i> rules of the Irrigation department.	Rules abolished.
27	December 1 ..	Octroi in Fatehpur municipality.	Octroi introduced.
28	December 2 ..	Improvement of sugar cultivation.	Question of distribution of canal water considered by joint committee of Boards of Irrigation and Agriculture and reports submitted to Development Board. Engineering section being strengthened as far as funds permit.
29	Ditto ..	Establishment of Standing Advisory Committee on Excise.	Licensing boards and standing advisory committees established.
30	December 6 ..	Teaching of midwifery and gynaecology at King George's Medical College.	Resolution forwarded to the Lucknow University who are carrying out most of the proposals.
31	Ditto ..	Prospects and grades of sub-assistant surgeons.	Rate of pay raised from April 1, 1922.
32	December 7 ..	Disagreement between District Judge of Hardoi and the local Bar.	No action taken.
	1922.		
33	January 26 ..	Householders in Rae Bareli to be exempted from payment of ground tax.	Government have decided to charge only nominal rents.
34	Ditto ..	Review of convictions under the Criminal Law (Amendment) Act.	Cases reviewed by Mr. Lyle.
35	January 31 ..	Revision of Fatehpur settlement.	Copy of Commissioner's report sent to mover for information.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1922—(concl'd.).		
36	January 31 ..	Policy of Government in revenue settlements.	Government introduced the Land Revenue Amendment Bill in 1926.
37	March 1 ..	Introduction of permanent or long-term settlement.	The term of the new settlements commenced in 1926 will be for 40 years.
38	March 2 ..	Appointment of advisory boards for hospitals.	Visiting boards appointed at Agra and Cawnpore and the resolution brought to the notice of various district boards.
39	Do. ..	Treatment of political prisoners.	Instructions issued to district magistrates to consult members of the Legislative Council about classification.
40	March 30 ..	Opening of more salt shops	No action taken in view of change in system of vend of salt.
41	March 31 ..	Permanent judge at Fatehpur.	Court now permanently located at Fatehpur.
42	Do. ..	Abolition of commissioner-ships.	Committee appointed.
43	Do. ..	Alteration of date for payment of land revenue.	Commissioner reported that there is no desire on the part of revenue-paying public for any alteration.
44	October 26 ..	Advisory committee for collectors.	No action taken. Position was explained in Council in reply to starred question no. 26 for October 25, 1923.
41A	December 12 ..	Withdrawal of additional police from certain places.	Police were about to be withdrawn from all places but one, and Government gave the Commissioner discretion to withdraw them from that place also.
	1923.		
45	January 29 ..	Abolition of post of circle inspectors.	Decentralization Committee consulted and ultimately 39 posts of circle inspectors were reduced.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1923—(concl.).		
46	January 29 ..	Co-ordination of Vernacular and Anglo-Vernacular teaching.	This question was laid before the Board of Vernacular Education (as re-constituted) at its meeting held on February 12, 1926. The board postponed consideration of the matter.
47	Ditto ..	Establishment of local committees for demonstration farms.	Committees have been established for all agricultural farms.
48	Ditto ..	Amendment of rules relating to dak bungalows.	Rules have been amended.
49	January 30 ..	Amendment of Oudh Settled Estates Act.	United Provinces Estates Act passed.
50	Ditto ..	Grant of enhanced powers to munsifs.	Proceedings forwarded to the High Court and Judicial Commissioner.
51	February 1 ..	Amendment of Land Revenue Act.	Act amended by Amendment Act IV of 1923.
52	February 27 ..	Irrigation rates ..	A Bill to amend the Northern India and Canal Drainage Act, 1873, was introduced by Government in the Council but was withdrawn owing to non-official opposition.
53	March 22 ..	Appointment of Indians as reserve inspectors and superintendents of railway police.	No bar exists to the appointment of Indians to the posts of superintendent, railway police. As regards reserve inspectors the Government sanctioned a scheme which would result eventually in the appointment of 20 Indian officers as reserve inspectors and five as divisional inspectors in the Government Railway Police.
54	Do. ..	Granting of arms licences ..	The new Arms Rules have been introduced and a right of appeal has been given against an order refusing the grant or renewal of a licence.
55	Do. ..	Reduction of superior posts in the Public Works Department (Buildings and Roads) and of posts of commissioners.	No action taken as yet.

APPENDIX VII.—(continued).

Serial no.	Date.	Subject.	Action taken.
	<i>1922—(concl'd.)</i>		
56	March 23 ..	Appointment of Indians as deputy secretaries.	Government undertook to consider claims of Indian officers, and one such officer has been appointed to post of deputy secretary recently.
	<i>1924.</i>		
57	January 28 ..	Extension of the term of settlements.	The term of the new settlements commenced in 1926 will be for 40 years.
58	January 28 ..	Certain recommendations of the Settlement Committee.	Government introduced the Land Revenue Amendment Bill in 1926.
59	January 29 ..	Establishment of a school of Indian music.	The Marris College of Hindustani Music has been established at Lucknow.
60	January 30 ..	Short-term settlements in Bundelkhand.	Government introduced the Land Revenue Amendment Bill in 1926.
61	April 3 ..	Appointment of a committee to inquire into the activities of the Industries department.	Government appointed the committee and have taken action on its report.
62	September 10 ..	Special jails ..	No action taken. Question will be considered later.
63	December 19 ..	Appointment of a committee or committees to investigate the conditions of Musalman waqfs and endowments, both religious and charitable.	No action is necessary.
	<i>1925.</i>		
64	January 23 ..	Education of depressed classes.	No action is necessary as the question of expanding education among the depressed classes is already engaging the attention of Government.
65	March 31 ..	Additional posts of magistrates and collectors for the Provincial Civil Service.	No action taken.

APPENDIX VII—(continued).

Serial no.	Date.	Subject.	Action taken.
	1926.	Blank.	
	1927.		
66	November 2 ..	Exemption from assessment to revenue of all income derived by landlords from miscellaneous customary dues, such as <i>bhusa</i> , <i>karwi</i> , <i>puyal</i> , and the like.	Necessary instructions issued to the Board of Revenue.
	1928.		
67	February 22 ..	Appointment of a committee on jail administration.	A committee is being appointed.

APPENDIX VII—(continued).

(iii) List of Resolutions rejected by the Council during 1921 to February, 1928.

Serial no.	Date on which moved.	Resolution.
	<i>1921.</i>	
1	February 18 ..	Notified area of Kosi Kalan.
2	February 21 ..	Salaries of the Ministers.
3	February 23 ..	The Jumna railway bridge at Muttra.
4	March 12 ..	Rioting at Munshiganj, Rae Bareilly district.
5	March 31 ..	Appointments of Deputy Collectors and others.
6	Ditto ..	Curricula for primary and secondary education.
7	April 1 ..	Remission of land revenue and rent in the Fyzabad district.
8	April 2 ..	Provision of roadways for the Dufferin Bridge and the Izat Bridge.
9	April 5 ..	Preparation of crop returns and price lists in Oudh.
10	April 6 ..	The separation of Judicial and Executive functions.
11	Ditto ..	Military assistant surgeons.
12	July 25 ..	Qualification of honorary magistrates and other honorary officers.
13	July 29 ..	Examination of school boys for promotion.
14	July 30 ..	Increase in number of listed posts.
15	Ditto ..	Maintenance of seed stores by Government.
16	August 8 ..	Publication of statement concerning political cases.
17	Ditto ..	Stopping extensions to the Ganges Canal.
18	December 1 ..	Regarding fees payable in hospitals.
19	December 5 ..	Limitations as to size of classes and requisite space for each student.
20	December 7 ..	Introduction of a time scale in subordinate Educational Service.

APPENDIX VII—(continued).

Serial no.	Date on which moved.	Resolution.
<i>1922.</i>		
21	January 25 ..	Rewarding of distinguished services.
22	Ditto 25 ..	Allowance for transport of conveyances.
23	Ditto 26 ..	Retrenchment of expenditure.
24	Ditto 28 ..	Non-co-operation.
25	Ditto 31 ..	Regarding grain-loomg at Meerut.
26	March 3 ..	To allow smoking in prisons.
26a	Do. 30 ..	Selection of deputy collectors.
27	April 1 ..	Release of political prisoners.
28	October 24 ..	Appointments for Christians.
29	Ditto 25 ..	Competitive examinations for the Provincial Police and other services.
30	Ditto 25 ..	Restriction on transfer of agricultural land.
31	Ditto 26 ..	Provincialization of Deputy Inspectors of Schools.
32	December 12 ..	Jurisdiction of honorary magistrates.
33	Ditto 13 ..	Stoppage of work on the new Council Chamber.
<i>1923.</i>		
34	January 30 ..	Disposal of Government Gardens.
35	Ditto ..	Religious instructions in jails.
36	February 1 ..	Judgeship for members of the Bar.
37	Ditto 2 ..	Assistant Commissioners of Excise.
38	Ditto 5 ..	Irrigation in Moradabad.
39	Ditto 5 ..	Entry of groves in the Land Records.
40	Ditto 26 ..	Abolition of tolls on the Jumna Bridge, Muttra.
41	Ditto ..	Amendment of the Bundelkhand Alienation of Land Act.
42	Ditto ..	Reduction in the number of districts.
43	Ditto ..	Original jurisdiction of the High Court.
44	October 27 ..	Non-participation in the Empire Exhibition.

APPENDIX VII—(continued).

Serial no.	Date on which moved.	Resolution.
	<i>1924.</i>	
45	April 2 ..	Maintenance of list of persons entitled to arms licenses.
46	April 3 ..	Judges' Court Pleaders.
47	September 8 ..	Transfer of the Public Works Department Secretariat.
48	December 16 ..	Prevention of communal riots.
49	Ditto 18 ..	Application of certain sections of the Oudh Rent Act.
50	Ditto ..	Honorary officers.
	<i>1925.</i>	
51	January 26 ..	Reduction of courses for Middle and High School examinations.
52	January 27 ..	Dates of Council meetings.
53	January 28 ..	Establishment of a technical University at Cawnpore.
54	January 30 ..	Amendment of the Oudh Rent Act.
55	February 27 ..	Urdu and Hindi examinations.
56	February 28 ..	Settlement of Government estates
57	March 3 ..	Allowance of time-scale of pay to model school teachers.
58	March 31 ..	Excise policy of Government (second part only).
59	August 20 ..	Amendment of the United Provinces Municipalities Act, 1916.
60	August 21 ..	Reforms in High School and Intermediate Education.
61	August 22 ..	Removal of political disqualifications.
62	December 21 ..	The Excise policy of Government.
63	December 22 ..	Representation of labour on local bodies.
64	December 23 ..	Representation of depressed classes on municipal boards (third part only).
	<i>1926</i>	
65	January 22 ..	Interference of Government servants in elections. (First amendment of the second part of the resolution only.)
66	April 6 ..	Examination by compartments.
67	Ditto ..	Pay of tahsildars.
68	April ..	Recognition of foreign degrees.

APPENDIX VII—(concluded.)

Serial no.	Date on which moved.	Resolution.
<i>1927</i>		
69	June 30 ..	Appointment of a committee for the revision of the Jail Manual.
70	November 3 ..	Committee for appointments in the Transferred departments.
71	November 4 ..	Abstention of officials from voting on matters concerning the Transferred departments.
<i>1928</i>		
72	February 24 ..	Assimilation of posts of Assistant and Deputy Superintendents of Police.
73	February 27 ..	Abolition of control of commissioners and district officers over local boards.

APPENDIX VIII.

List of Motions for Adjournment.

Serial number	Date of meeting.	Subject of motion.	Orders by.
<i>1921.</i>			
1	April 6 ..	To draw attention to Oudh and Rohilkhand Railway strike	Ruled out of order
2	August 2 ..	To consider unrest in Aligarh ..	Ditto.
3	December 8* ..	To discuss situation created by extension of Criminal Law Amendment Act, Part II, to United Provinces	Leave granted. Disallowed by Governor.
<i>1922.</i>			
4	March 11 ..	To draw attention to resignation of Mr. Montagu	Ruled out of order.
5	March 29 ..	To discuss cases of such political prisoners who had not been released by Government.	Withdrawn and moved on April 1, 1922, as resolution.
6	December 14 ..	To discuss action of Government in refusing to accept Council resolutions for withdrawal of Criminal Law (Amendment) Act and for release of political prisoners	Leave granted.
7	December 15 ..	To discuss the wreckage of the Council quorum on the previous day	Ruled out of order.
<i>1923.</i>			
8	January 29 ..	To discuss Secretary of State's despatch to Government of India rejecting proposal of Legislative Assembly for extension of the scope of the reforms.	Ditto.
9	February 6 ..	To consider detention of offenders convicted of political offences but not classified as political prisoners	Ditto.
10	February 27 ..	To draw attention to unsatisfactory replies by Government to supplementary questions regarding political prisoners and their refusal to reconsider cases of all political prisoners who had not been released	Ditto.

*Hon'ble President referred to two similar motions handed in on December 7, 1921, regarding arrest of certain persons in Lucknow district. Both were ruled out of order, but they do not find a place in the proceedings of that date.

APPENDIX VIII—(continued),

Serial no.	Date of meeting.	Subject of motion.	Orders by.
	<i>1924.</i>		
11	January 31 ..	To debate question of application of section 144, Criminal Procedure Code, to Bageshwar Fair in Almora.	Ruled out of order.
12	April 4 ..	Not disclosed by President ..	Ditto.
13	September 5 ..	To discuss action of Government in allowing an Anglo-Indian to be whipped by an Anglo-Indian.	Ditto.
14	September 6 ..	To discuss alteration of system of Government.	Ditto.
15	September 8 ..	To discuss question of proscribing Professor Ramdass Gour's Hindi Readers.	Ditto.
	<i>1925.</i>		
16	February 27 ..	To discuss a matter reflecting on the honour and dignity of the House, namely, that some members were, it was alleged, being shadowed by the Criminal Investigation department.	Ditto.
17	March 7 ..	To consider action of Board of Revenue in having ejectment suits in Agra province postponed.	Ditto.
18	March 13 ..	To discuss unsatisfactory and retrograde nature of majority report of Muddiman Committee.	Withdrawn.
19	March 31 ..	To discuss policy of Government in utilizing remission of Rs. 56 lakhs granted by the Government of India.	Ruled out of order.
20	December 18 ..	To discuss conduct of District Magistrate, Bulandshahr.	Leave granted.
21	December 22 ..	To discuss action of a district magistrate in regard to election of chairman and members of District Board.	Ruled out of order.

APPENDIX VIII—(concluded).

Serial no.	Date of meeting.	Subject of motion.	Orders by.
	<i>1926.</i>		
22	August 7 ..	To discuss situation created by refusal of Government to move third reading of Land Revenue (Amendment) Bill.	Ruled out of order.
	<i>1927.</i>		
23	January 29 ..	To protest against answers to certain questions regarding a passage in a publication by Sir Cecil Walsh.	Leave granted.
24	June 25 ..	To discuss executive action in regard to proceedings against a sub-inspector of police after the High Court had passed judgment in his case.	Ruled out of order.
25	November 2 ..	To discuss question of growing tendency of Government to supply incorrect and misleading information in reply to Council questions.	Ditto.
26	Ditto ..	To consider question of treatment of Kakori prisoners.	Ditto.
27	November 3 ..	To discuss failure of Government to proceed against the sub-inspector referred to in no. 24 above.	Leave granted. Disallowed by Governor.
28	December 21 ..	To discuss answers to questions regarding communal disturbances at Bareilly.	Ruled out of order.
29	Ditto ..	To discuss action of the Governor in extending the session.	Ditto.

PART V.
ADMINISTRATION OF DEPARTMENTS—
(continued).

B.—TRANSFERRED.

(1) Departments under the Minister for Agriculture.

CHAPTER I.

DEPARTMENT OF AGRICULTURE.

1. The function of the department has been described as **Historical sketch.** being to introduce improvements in the present system of agriculture in this essentially agricultural province and at the same time, as far as possible, to develop a better system. The department was created in 1875. During the first thirty years its chief aim was to collect facts and figures. A period of expansion began in 1906. A scheme was then worked out for increasing the number of circles from two to ten, each with its own conditions and problems. Each circle was to have an experimental farm, sub-stations for a study of local problems, demonstration farms, seed and implement stores and other facilities. The scheme also included the conversion of the agricultural school, which had been established at Cawnpore in 1893, into a college equipped for centralized research. The college buildings and scientific laboratories were ready for use by 1911. In the meantime the staff had been increased by the appointments of a botanist, a chemist, an engineer and two extra deputy directors. In 1912 research farms for the botanist and the chemist were opened. In the following year the training college courses were rearranged so as to offer an English course of four and a vernacular one of two years. The chain of agricultural stations and seed stores was extended over the province as funds permitted. Then came the war, and with it expansion for the time being ceased. Rapid expansion began again soon after the close of the war. New officers were recruited, research was extended in new directions, more farms were opened and cattle-breeding was added to the department's activities with a special deputy director in charge. In 1920 the department was completely severed from that of

Land Records and the director was for the first time appointed from the expert staff. Prior to 1914 the public had shown little interest in the department, which was engaged in investigation rather than in propaganda. No real agricultural awakening had taken place. It has been said that up to this time the department had taken more interest in the agriculturist than he in the department. The large profits of the war years aroused interest in farming, and attracted the attention of the educated classes. The work of the department thus became more widely known and the early years of steady development and investigation had prepared it for a period of further advance. The first minister was therefore in a position to initiate a forward policy. The legislative council, it is true, was at first suspicious of the activities of the department but successive ministers have succeeded in altering this attitude and in carrying the council with them in their policy of expansion. The period since 1921 has been one of rapid and successful development.

**Organiza-
tion.**

2. The department is administered by the director of agriculture under the minister. For administrative purposes the province is divided into seven circles each of which is under a deputy director who is responsible for the agricultural development of his circle. Each circle has its own organization for research, experimental and demonstration work. Cattle-breeding forms a special section of the department's work under a separate deputy director. There is also an engineering section which is mainly concerned with the problems of well irrigation. The agricultural college at Cawnpore provides the necessary facilities for such research work as can be centralized and also higher education in the science of agriculture for those who wish to take their diplomas, and practical courses in agriculture and estate management for those who own estates or look forward to taking up estate management. A large instructional farm is attached to the college. Another type of education is provided at the agricultural school at Bulandshahr which caters for the tenant or small landholder and provides instruction which is strictly vocational. It is an attempt to provide a system of education and instruction to fit men of this class for their station in life and provide an alternative for a purely literary education. The most important feature of the instruction is practical work. Government have decided to open two other schools of this type to meet the needs of the central and eastern portions of the province. Lastly, the department maintains a special establishment which looks after the government gardens which are scattered over the province.

3. The superior personnel of the department consists of members of the Indian Agricultural Service, the United Provinces Agricultural Service, engineers and assistant engineers, a deputy director of gardens and the superintendents of government gardens. There are twenty-one sanctioned Indian Agricultural Service posts in the province. Three of these are permanently vacant. The incumbent of a fourth is on deputation and his post will become permanently vacant on his confirmation in his present appointment. The posts of director, seven deputies, professor of agriculture, three economic botanists, two chemists, an entomologist, a plant pathologist and deputy director for cattle-breeding are on the cadre of this service. The actual strength of the service is, however, only ten, and the other seven posts are at present held by officers of the provincial service. The professor of agriculture is also the principal of the college. The provincial service supplies eight divisional superintendents, eight research assistants, the principal of the agricultural school, and four officers holding miscellaneous posts. All the posts are held by members of the service. The engineering section is manned by three engineers and four assistants. There are five posts of superintendent of government gardens, two of which are at present vacant.

4. Government have set up a considerable number of advisory bodies. The most important of these are—

- (1) The Board of Agriculture, composed of a senior official as chairman, the director of agriculture, heads of other departments, and representatives of the legislative council, the chambers of commerce, and landholders' associations. The board advises Government on questions of policy and administers an annual government grant for promoting the interests of agriculture. The grant has so far been utilized for subsidizing experimental schemes undertaken by local bodies and private persons.
- (2) The Provincial Cotton Committee is composed of representatives of the various interests affected, namely, the director of agriculture, director of industries and representatives of the irrigation and agricultural departments and of the chambers of commerce, cotton-growers, and cotton-ginners. Its function is to keep the province in touch with the Central Cotton Committee at Bombay.

- (3) A Cattle-breeding Committee, consisting of the director, two members of the legislative council and representatives of the landholders, advises Government on cattle problems.

The agricultural college and school each has a governing body for general administrative control. Each departmental farm has since 1922 had a local advisory committee. There are also six advisory committees for the provincial gardens.

**Expansion
since 1921.**

5. In 1917 there were six Indian Agricultural Service posts in this province. In 1927 there were eighteen, though recruitments to the service had been closed three years earlier. At the beginning of the reforms period the United Provinces Agricultural Service had a cadre of five posts, in the present year it has twenty-five. Similarly the Subordinate Agricultural Service had a cadre of one hundred and four posts and now has one hundred and seventy-six. The Engineering Branch had one engineer, one assistant and ten subordinates and now has two engineers, four assistants and twenty-nine subordinates. This expansion has been achieved in spite of the financial difficulties of these years. The Economy Committee reported favourably on the department's expenditure and found comparatively little scope for retrenchment. In consequence few of its activities were curtailed. In 1926 the special conditions of Bundelkhand were recognized by the separation of that division from the central circle and its establishment as a separate circle. A hill circle has also been created. There are now seven circles, out of the eight which are required. Expenditure on the department in 1916-17 was only 6.80 lakhs. The grant for the current year is 24.5 lakhs. Since 1920-21 the increase has been about 4 lakhs. The legislative council has consistently shown its readiness to give to the department all the money for which Government has asked and indeed has recently demanded that larger sums should be given. The pre-reform period was mainly a period of preparation. In their last resolution reviewing the work of the department Government had recognized that the time had come for reorganization in all the branches—demonstration and experiment, education and research, distribution of seed and implements, engineering and cattle-breeding. Public interest had been quickened by the world-scarcity of food-grains and raw materials; and there was an important body of well-informed opinion anxious for progress on sound lines which at the time had little opportunity of influencing Government policy or the administration of the department. The

main directions in which organization was effected is explained in the following paragraphs.

6. Demonstration farms came in for severe criticism by the first council on the ground that they were not self-supporting. These farms were originally established to serve the dual purpose of acquiring knowledge of local conditions, an experimental function, and of demonstrating to the cultivator how to obtain better crops. Government agreed that a demonstration farm, as such, should easily pay its own way, and that, if it failed to do so, the neighbouring cultivators were not likely to imitate its methods, and for this reason they decided to place the demonstration farms on a commercial basis. This naturally involved some separation of demonstration from experimental work. The system of accounting was also revised. Two of the most expensive farms were sold, and the expenditure on many others was severely pruned. Improved financial results were quick to follow. Later Government accepted the director's view, that owing to the need for more experimental work, the demonstration farms must be used for that purpose also and that this would prevent all farms from being worked at a profit; they noted, that, judged at least as much by such other work as by their financial results, "the farms did well." The reorganization initiated in the early stages began to bear fruit. The farms showed a surplus of receipts over expenditure in 1924-25. A seed farm yielded a surplus of Rs. 12,000 and a research cotton farm a surplus of over Rs. 10,000. A new method of demonstration in which the cultivator supplies land and the department does the cultivation, while the profits are shared by both, was tried and proved successful. The commercial success of the demonstration farms has stimulated private farming on improved lines; the number of private farms rose in one year from five hundred to six hundred; and in the next to over seven hundred and fifty; many of them did well.

7. The engineering section was reorganized and strengthened in 1922-23. By that time the cost of materials had fallen and conditions had returned to normal after the upheaval of the war years, and the branch was able to resume the extension of the use of tube-wells. The demand for these is now keen. A considerable proportion are designed for power-pumping. The department are not content with merely completing a well. In addition they give a demonstration of intensive cultivation to show that tube-wells and pumping plants can and do pay. Successful experiments for finding a smaller and less costly type of tube-well have enabled

the section to create and meet an ever-growing demand, and complaints have given place to appreciation of its work. It is the only organization for the construction of such wells and Government have refused to curtail it in order to let private enterprise grow up, on the ground that any cessation of its activities at present would involve great loss to agriculture. At the same time Government realize that, in face of the enormous room for well-irrigation, only the fringe of the problem has yet been touched.

Research.

8. Research is the logical commencement of the department's activities and in this direction its record is one in which it can legitimately take pride. Research has in the main been confined to cotton, sugar cane, wheat, potatoes and jute.

(i) *Cotton*.—The Indian Cotton Committee stimulated interest in questions relating to cotton. A provincial cotton committee was set up. Dr. Leake was placed on special duty to survey the position and to devise methods for bringing the provincial committee and the department into closer relations. Methods of attacking the insect pests, especially the pink-boll worm, which does most damage, have been continuously under study. Government also deputed an officer to Egypt to study the methods adopted there. Meanwhile improved and selected varieties have been produced. In 1926 it was estimated that such varieties covered nearly 200,000 acres.

(ii) *Sugar*.—The Indian Sugar Committee's report brought to light the various problems of this industry. The committee visited the Shahjahanpur farm, and approved its lines of research. The problem of co-ordination between the large factory and the small agriculturist is in this province complicated by the scattered nature of holdings and by the existing system of land-tenures. The department's activity has been devoted to the production of heavier yielding varieties accompanied by better methods of cultivation. The provincial farm now produces canes yielding three times the normal quantity of sugar. By 1925 improved varieties suitable for all the main soils in the province had been produced and the problem then became to get cultivators to take these up and to cultivate them by improved methods. The extent to which this problem is being successfully solved is shown by the following figures. In 1924-25 there were only 808 acres under Java canes. In 1927-28 there were 39,000 acres. In 1926-27 the area under Coimbatore canes was 12,000 acres. In the following year it was 44,000 acres. It has been estimated that the financial benefit to six districts from the

introduction of these new canes is over one crore of rupees per annum.

(iii) *Wheat*.—The position as regards wheat has all along been simpler, because of the vogue already obtained by certain improved varieties, namely, Pusa 12 and 4, and Cawnpore 13. Wheat research has been continued, and has yielded good results. But attention has in the main been paid to organizing distribution. In 1926 it was estimated that three-quarters of a million acres were under improved wheats and in 1927 the area was one million acres.

(iv) *Potatoes*.—Potatoes have not received the same concentrated and continuous attention. The principal problem is the rot that takes place during storage, which accounts for the loss of nearly 80 per cent. of the crop stored. Interesting and useful results have been obtained. It has now been found that even these damaged potatoes have some value, as the starch is retained by them and can be recovered for use in sizing. The deterioration of the potato in an area once famous for its excellence led to the establishment of a research farm, which is now in full working order.

(v) *Miscellaneous*.—Jute has been successfully introduced in the province. Certain other crops have also received attention—rice, *sanai*, linseed, *juar*, *bajra*. The department is no longer open to the charge of paying attention only to export crops, though these as being economically the most important have continued to receive more attention.

9. The culture and distribution of cheap improved seed on loan to be repaid at harvest time often in kind has been found a more suitable method than the old-fashioned cash loan (*taqavi*) for seed, and its vogue is growing fast. Private enterprise has been subsidized with this object. The overhaul of the co-operative movement undertaken in 1926 is expected to benefit a considerable section of the agricultural community. The question of cheap and practical manures is under investigation. Minor details like the appropriate "seed rate," the merits of different methods of ploughing, etc., have been investigated and the results disseminated. A further important form of assistance consists in grants to private farms.

10. (i) *The college*.—The agricultural college at Cawnpore has continuously expanded. Enrolment has been growing. There was a temporary setback when the guarantee of government employment to some of the successful students was discontinued, but that was soon got over. The buildings, library, laboratories, equipment, and the area for experiment

Other forms of assistance to agriculturists.

Education and practical training.

and research have all been extended at a cost of some lakhs and the staff has been considerably strengthened. The question of the affiliation of the college to a university still awaits decision. The proposal to affiliate it to Allahabad became obsolete when that university became a residential unitary university. A scheme for a technical university at Cawnpore with a faculty of agriculture fell through. The question of affiliating the college to the Agra University is under consideration.

(ii) *Agricultural schools.*—In 1921-22 an agricultural school was started to give a practical vernacular course for sons of zamindars and well-to-do farmers. The school has been a striking success from the very start. In addition to its primary function it has also been utilized for the training of teachers for the agricultural classes opened in certain middle vernacular schools. Government decided in 1926 to open another school in the east of the province, and provision for this is included in the current year's budget. The opening of a third school for the central tract is under consideration. Direct agricultural education is not confined to students. Courses on agricultural improvements are offered to farmers, either at a central institution or through the agency of itinerant lecturers and demonstrators.

(iii) *Vocational education.*—The steps taken to give rural education a vocational aspect have been described in the chapter on education.

(iv) *Private institutions.*—Government have not neglected to assist private institutions for agricultural education, notably the Agricultural Institute and the "Hindi Vidyapeeth" at Allahabad. The entire system of school education in agriculture is in its infancy, and for that reason Government welcome the experiments which private enterprise has been undertaking.

**Cattle-
breeding
and
dairying.**

11. Owing to a variety of reasons the quality of agricultural cattle has shown steady deterioration. Government have tried to devise remedial measures. The work was at first entrusted to the civil veterinary department, but in 1921, recognizing that the problem was essentially an agricultural one, Government transferred it to the agricultural department and placed it under the charge of a special deputy director. The policy of the department is threefold :

- (i) to improve existing draft breeds;
- (ii) to explore the possibility of producing dual purpose types of cattle;
- (iii) to encourage dairying.

There are now three cattle-breeding farms from which stud bulls are distributed. One of these farms is a recent addition and the herds at the other two have been increased. The department have now started several controlled breeding areas in which the cultivators are encouraged to keep the best of their young stock and sell it to the department. Experiments in selective breeding are also carried on at the government farms. The connected problem of an economical method of growing and storing fodder crops has also received attention. Types of silos suitable for the larger zamindars and for cultivators organized in co-operative societies have been demonstrated. To encourage dairying a modern dairy has been attached to the Muttra breeding farm and Government have subsidized the enterprise of an Agra zamindar which is being conducted under the supervision of the department. Local authorities in some places have been evincing interest in this problem but have so far done nothing effective.

12. Government reviewed their policy in regard to public gardens and parks in 1921-22, and made certain changes intended to secure economy and increased income. The management was transferred from the district officers to a deputy director of the agricultural department and local advisory committees were set up. The staff is now recruited from the diplomats of the agricultural college. The duty of this section is not only to maintain the grounds, but also to carry on investigations with a view to the improvement of fruit culture and industry. A flourishing fruit industry has been built up round Saharanpur, the growing of fruit in the hills has been assisted, and vegetable growing has been improved. An extensive and well-organized trade in garden-seeds, both indigenous and imported, has been developed. The training of gardeners has also been a useful branch of work.

**Gardens
and fruit
culture and
marketing.**

13. There has been a marked development of interest in and appreciation of the work of the department. The tendency in the pre-reform period was for the department to take very little notice of non-official opinion, and the public on its part took little interest in the department. All that has been changed. Government has made every effort to take the public more into confidence by setting up advisory committees for the various branches of the department's work. The governing bodies of the college and the school and the cattle-breeding committee have been particularly useful, and Government have acknowledged the value of their advice on numerous problems. The growth of public interest has been reflected in the attitude of the legislative council. In 1921

**Growth of
public
opinion and
interest.**

the council was extremely critical, if not actually suspicious. In the present year the demand from all quarters of the House has been for larger expenditure on agriculture. This affords some measure of the success which the department has achieved in winning public confidence.

**Indianiza-
tion.**

14. Recruitment to the Indian Agricultural Service has—in accordance with the Lee Commission's proposals—been stopped. The question of establishing a superior service on a provincial basis is still under consideration. Meanwhile selected officers of the United Provinces Service and specialists are being appointed to the posts which formerly used to be filled by Indian Agricultural Service officers. The director considers that this form of recruitment to the higher posts is giving him better Indian officers than the old system of recruitment by the Secretary of State. Indianization of the superior posts had begun before 1921 but the pace has been accelerated since then. Up to 1917 there was no Indian in any of the six Indian Agricultural Service posts; in 1927, out of eighteen Indian Agricultural Service or equivalent posts, twelve were held by Indians and only six by Europeans, of whom one was on deputation outside the province. In the Engineering Branch one of the three officers is an Indian. The principal of the agricultural college is now an Indian with British qualifications.

**Method of
appoint-
ment.**

15. Appointment of staff never fails to cause trouble. Appointments to the higher posts have been made on the recommendation of special *ad hoc* selection committees. There have been five such committees so far. About their work the director remarks—"The experience gained in the work of selection committees enables me to make a very definite pronouncement with regard to their composition and usefulness. Some of these have been composed of officials and members of the council; others of non-officials of high standing, senior judicial officers and the director. There is no doubt that the latter type is the most effective. They are free from the outside influence which is brought to bear on members of the council." Canvassing, especially by members of the legislature, has been common and the director would like to see new appointments to the higher posts made on the recommendation of a Public Service Commission. To meet the demand for communal representation appointments to the subordinate service are made in the ratio of one Muhammadan to two non-Muhammadans.

Finance.

16. In a period of much financial difficulty the department has on the whole fared well. An unusually large pro-

portion of its demands has all along been accepted, and the average proportion for the last five years was about 80 per cent. It is true that the Economy Committee's findings were favourable and that very little curtailment had to be effected. Government accepted their recommendation that eight circles (in place of the ten originally contemplated) were needed. But even during the period when money was most scarce most of the new needs of the department were satisfied. The allotments for new expenditure each year, beginning with 1923-24, have been 2½, ¾, 2, 5, 6 and 3 lakhs. The department felt that in the first year of the new system of government the finance department was inclined to examine proposals from an administrative, and even from a technical, instead of from the purely financial point of view, but now has no complaint on that score.

17. (i) *Budget debates.*—The department's first meeting with the reformed council was not friendly and Government reduced the demand by eight lakhs. The department had still to gain the confidence of the council, which on its part was not willing to approve of large schemes of new expenditure—the demand was very largely in excess of that of the previous year—until satisfied that the expansion of the department was going to be of real benefit to the province. The hostile criticism of the year 1921 soon gave place to a real understanding for which credit is due to both sides. The council has year by year passed the department's demand without reducing it by a single rupee—a unique record—and, as has already been mentioned, in the present year members of all sections of opinion united in the view that expenditure on agriculture should be increased. The interest of the council has reacted on the work of the department which is now in closer touch with the needs of the province than at any earlier period.

The department and the council.

(ii) *Resolutions.*—When the importance of agriculture to the province and also the number of members of the legislature who are agriculturists are borne in mind, the number of resolutions moved in the council on agricultural questions has been remarkably small. In 1921 there were five, in 1923 two, and in 1927 three. Throughout the whole three years of the second council there was not a single resolution relating to the work of the department. The subjects dealt with in resolutions cover a wide range. Government have been urged to set up committees to inquire into the supply of cattle and milk and to inquire into and suggest measures for the establishment of agricultural schools. They have been asked to

open seed stores in every *tahsil*, to provide well-boring apparatus in every district where it can be used with advantage, to give effect to the proposals of the Indian Sugar Committee, to attach advisory committees to every demonstration farm, to dispose of government gardens by transfer to local boards or by sale, to adopt measures to improve the condition of land in Bundelkhand, to take steps to improve agriculture, and to carry on propaganda to encourage farming and to give assistance by means of grants-in-aid and loans. Most of the resolutions were adopted or withdrawn on an assurance from Government. Two were negatived. That suggesting the disposal of government gardens was defeated on a question of principle but the proposal to establish seed stores in every *tahsil* was only negatived on a question of form; the proposal actually represents the policy of Government. These resolutions in council have served a distinctly useful purpose. They have afforded a means of keeping the department informed of public opinion on important questions and also a means of keeping the council informed of the policy and work of the department.

Questions.

18. Council questions in so far as they related to matters of general interest have also served a useful purpose. The director says, "experience has shown, that almost every case needed inquiry." The direct purchase of material by the engineering section in contravention of the stores rules is a case in point. But the tendency of some members to interest themselves in details of administration, especially discipline, and to champion communalism was also in evidence. While the interest in details only involved undue work, communal and personal questions undoubtedly resulted in some laxity of discipline. The staff got an impression that a council question was an affective mode of escaping punishment or furthering personal ambition. The position in this respect has improved since the issue of the government orders referred to in another chapter.

The ministers and directors.

19. Three ministers, Mr. C. Y. Chintamani, Nawab Muhammad Ahmad Sa'id Khan, and Thakur Rajendra Singh, and two directors, Dr. Leake and Mr. G. Clarke, have administered the affairs of the department. Mr. Chintamani was not himself a landholder but took a keen interest in the department and was responsible for the initiation of the policy which has led to the rapid development of the department's work, and his example was followed by his two successors, who both had a hereditary interest in the land and its problems. The department has been fortunate in having Mr. Clarke as its

head, acting or permanent, ever since 1921 with only a comparatively short break. Recruited as a scientific officer, he has proved himself an excellent administrator and by his powers of exposition, tact and enthusiasm has completely won the confidence of successive legislative councils. He has kept in close touch with all three ministers with each of whom his relations have been excellent.

20. There is cause for satisfaction with the record of the department since 1921. It has adapted itself to the reformed constitution and has made full use of the greater opportunities for development which that constitution has afforded to it. There has been development in every direction and much work has been done the full results of which will only be revealed in the future. But the province is a large one and the vast majority of its people are dependent on the land for their livelihood so that it will take time before the people as a whole begin to enjoy the full benefits which the work of the department will ultimately bring to them.

Conclusion.

Statistical Appendix.

—	1919-20.	1920-21.	1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.
(1) Demonstration farms and plots—									
(a) Number	30	25	25	24	22	20	24	25	25
(b) Profit or loss ..	Not available			— 9,214	2,009	36,147	27,055	29,021	Not avail- able.
(2) Research and experimental farms—									
Number	8	8	8	8	8	8	10	10	10
Profit or loss	Not available			—21,639	—12,037	—22,946	— 6,515	—19,781	Not avail- able.
(3) Growth of private farms managed on improved lines—									
Number	Not avail- able.	202	300	360	405	504	621	755	Not avail- able.
(4) Number of new tube-wells—									
(a) Bullock-driven ..	}	6	6	16	20	48	23	62	65
(b) Mechanical .. ..										Not avail- able.

Statistical Appendix—(continued).

	1919-20.	1920-21.	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.
(5) Growth of seed dépôts and their business—							
(a) Number of dépôts	Not avail- able.	70	90	98	127	148	Not available.
(b) Quantity of seed supplied (maunds) ..	Ditto	56,315	56,484	71,199	105,052	226,687	Ditto
(c) Areas under improved varieties :							
Sugarcane	} Ditto	620,000	823,473	912,903	1,093,318	1,455,000	Ditto
Cotton							
Wheat							
(6) Cattle farms including controlled breeding areas— Number of animals issued for breeding purposes ..	..	..	78	79	100	264	..
(7) Staff and enrolment of the (a) College and (b) the School—							
(a) Staff*:							
College	13	14	11	11	12	13	14
School .. .. .	..	..	3	4	4	4	5
Total	13	14	14	15	16	17	19
(b) Enrolment :							
College	100	86	114	116	128	147	..
School .. .. .	..	..	43	45	54	86	..
Total	100	86	157	161	182	233	..

*The staff does not include Indian Agricultural Service and United Provinces Agricultural Service posts, which are shown separately.

- Statistical Appendix—(concluded).

—	1907-08.	1914-15.	1916-17.	1919-20.	1920-21.	1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.
(8) Growth of budget (in lakhs) and staff—												
(a) Expenditure ..	3·93	6·46	6·80	13·54	20·59	20·68	22·16	18·75	18·83	20·13	24·46	26·50
(b) Staff :												
Indian Agricultural Service.	5	5	6	8	13	15	21	21	21	21	21	21
United Provinces Agricultural Service.	2	2	4	5	5	15	17	17	18	21	21	24
Subordinate Agricultural Service.	67	70	70	90	104	124	129	129	129	131	140	160
Assistant Engineer ..	..	..	1	1	1	4	4	4	4	4	4	4
Subordinate technical staff.	..	4	6	10	10	23	27	28	28	29	29	29

CHAPTER II.

CO-OPERATIVE DEPARTMENT.

21. The co-operation movement began in this province with the work of Mr. Dupernex, a member of the Indian Civil Service, who was placed on special duty in 1900 and published a book entitled "Peoples' Banks for Northern India." As a result of his work a few societies were founded in 1901. About the same time the Government of India took the matter up and appointed a committee under Sir Edward Law which resulted in the passing of the Co-operative Societies Act in 1904. In that year the Government of this province appointed the first registrar of co-operative societies and formed the co-operative department. In the first three years steady, if slow, progress was made and when the second registrar was appointed in 1907 the societies numbered 200. A period of more rapid expansion followed and by 1912 when the registrarship next changed hands the number had increased to 2,000. In the same period important changes in the system were introduced. These changes were (1) the restriction of each society's operations to a single village, (2) the system of shares in place of deposits, (3) the establishment of a *panchayat* for each primary society and the appointment of a secretary for groups of such societies, and (4) the training of supervisors and managers for service in the banks. In 1912 new legislation enabled non-credit societies to be formed and placed the registration of central banks and other non-primary units on a statutory basis. Whole-time auditors were appointed about this time. The movement continued to advance till 1914 when the number of societies was 3,000. The war naturally caused a diversion of activity, and the publication in 1915 of the report of a committee appointed by the Government of India caused the department to take stock of the existing position. It then became clear that expansion had been too rapid and that attention must be devoted to consolidation rather than to further expansion. Arrears were heavy and many societies were liquidated, with the result that in the year 1917-18 the number of societies showed a decrease. In 1918 an Indian officer of the provincial executive service was appointed registrar. Though he

realized the wisdom of his predecessor's policy and began by insisting on the need for gradual and orderly development, a further period of rapid expansion set in. By 1921, when the department was transferred to the charge of a minister, the number of societies had risen to 4,493 and by 1925 it was 6,000.

**Organiza-
tion of the
department.**

22. The function of the co-operative department is to stimulate, to guide and to co-ordinate co-operative effort. The societies themselves are almost entirely non-official organizations. The district banks have the district officer as the chairman of their board of directors but he usually has nothing to do with the managing or working committee. The department is administered by the registrar under the control of the Minister for Agriculture. In 1921 the registrar was assisted by one deputy and two assistant registrars, and the subordinate staff consisted of twenty-eight inspectors and eighteen auditors. This staff was quite inadequate. Many of the weaknesses of the movement were due to the fact that the increase in the staff had not kept pace with the growth of the movement. The staff has been strengthened. There are now two deputy and seven assistant registrars, forty-one inspectors and fifty-two auditors. Three of the assistant registrars are still on probation. Eleven additional inspectors have been sanctioned, though not yet appointed. As will be seen later, the number of assistant registrars is still two less than the Government desired to have and four less than an important committee recommended. The departmental staff inspire and guide the movement. They deal with applications for the registration of societies and with general problems of policy and administration they co-ordinate the work of the banks and generally supervise the work of the societies and seek out and experiment with new directions for the employment of the co-operative principle.

**Primary
societies.**

23. The great majority of the primary societies are agricultural and exist for the supply of credit. On June 30, 1925, 5,678 out of 5,992 societies were agricultural and of these 5,678 only six were non-credit societies. The area of an agricultural society is ordinarily limited to one village, and only one society is as a rule permitted in a village. Membership is open to all residents considered suitable by the committee or general meeting and each member is required to take the number of shares determined by the committee as suitable to his status. Shares are of the value of twenty or ten rupees, and are payable in twenty half-yearly instalments. No society is permitted to pay a dividend for the first ten years and its

profits during that period provide a reserve which is used, as working capital. A primary society usually purchases shares in a central society from which it wishes to take loans. Most societies in this way become affiliated to central societies. Each agricultural society has an elected committee (*panchayat*) and chairman (*sarpanch*). The books of five or ten adjoining societies, known as a "group," used to be written up by a paid secretary whose work was nominally supervised by the staff of the central society assisted by the committees of the local societies, but this system is gradually disappearing and the "group" secretaries are being replaced by teacher, member or other local secretaries. The non-credit agricultural societies have with few exceptions failed or are doing little business. Of the 244 industrial societies on June 30, 1925, seventeen were non-credit and most of these were in a state of stagnation. Thus the movement has so far almost entirely consisted of credit societies.

24. The central societies include district banks, central banks and banking unions. These have all more or less the same functions. District banks are central banks situated at the headquarters of a district. Only one district bank can exist in each district but there may be several central banks. District and central banks have individuals as shareholders as well as primary societies. Banking unions have no individual shareholders. These central societies finance the primary societies and it is their duty also to organize and supervise them. The bank staff consists of a manager and a few supervisors who are also organizers, while many banks also have an office staff of accountants, clerks or cashiers. The district officer is usually the chairman of the district bank. The banks have limited liability and their capital consists of shares held by primary societies and individuals and of fixed deposits at rates approximate to the market rates. The banks usually advance money at 12 per cent. so have an ample margin to cover expenses and also to pay modest dividends. Financially these banks appear to be sound.

**Central
societies.**

25. There is at present a central body known as the standing committee of co-operators, which was constituted in 1919 and consists of twenty members elected by central societies, one elected by isolated primary societies and five nominated by the registrar. Its functions are to advise the department and report on any matter referred to it, to suggest improved methods of work and to help generally in the development of co-operation. It is proposed to replace this committee by a provincial union with a provincial committee and an

**Provincial
committee.**

executive committee. The provincial committee in addition to being an advisory body will be entrusted with the control of the organization and supervision of the primary societies. Government have recently had under their consideration the establishment of a provincial co-operative bank, but came to the conclusion that such a bank is not at present required.

**Post-reform
administra-
tion.**

26. The pre-reform growth of the movement and the existing organization have been described. It is now time to turn to the recent administration of the department. By the time the first minister took over the department the weakness of the movement, the nature of which will appear later, and the need for consolidation rather than further expansion were well known. But the minister's attention was very much occupied with the larger departments under his control, and the attention of the public and the legislative council was focussed first on the non-co-operation movement, and later on retrenchment and economy, with the result that no large amount of attention was at first given to the affairs of this department. In 1923 Government deputed an assistant registrar to study the co-operative movement in Europe, and they insisted on some extra precautions as a preliminary to the registration of new societies but these were insufficient to impose any effective check on expansion. Compulsory liquidations increased in number and became more difficult, arrears accumulated to an excessive degree and the whole system became increasingly unsound, though judged on a basis of statistics it appeared to be successful. The real state of affairs, however, was known to the district officers and began to attract public attention with the result that Government decided in 1925 to appoint a committee to inquire why co-operative societies had not succeeded better in gaining the confidence and support of the people and to make proposals for the improvement of the organization, supervision, control, audit and financing of the movement in all its branches. The committee consisted of a senior member of the Indian Civil Service as chairman, eight non-official members, and the registrar as both member and secretary.

**The Oakden
Committee's
binding.**

27. The committee found that co operation after twenty years was not spreading by its own momentum as it would be if its benefits were felt to be more real and substantial. Owing to the centralization of authority in central societies and to lack of adequate instruction and supervision primary societies were generally effete and incapable of managing their own affairs. Some societies were doing useful work, but the movement as a whole was lacking in co-operative spirit and vitality.

The principles of co-operation were not understood and the staff which was supposed to teach them were insufficiently trained and frequently unsuited for work in villages. The central societies had been successful as financing agencies and gained a considerable degree of public confidence, but their inability to supervise the primary societies was the principal cause of the unsatisfactory state of co-operation in the province.

28. The central societies were originally established to finance the primary societies. But they have also been entrusted with the duty of supervising and instructing these societies and the main cause of the weakness of the whole movement has been their failure to discharge this duty. There are two principal reasons for this. In the first place the directors are predominantly urban and out of close touch with rural conditions. Further, they are often sadly lacking in knowledge of co-operative principles. They have concentrated on the financial side of their work and have not interested themselves in supervision or education. In the second place they are generally busy professional men with no time to visit distant villages for the work of supervision and education. In consequence this work has been left to the paid staff who are generally inefficient and quite unequal to such work and have, perhaps not unnaturally, given more thought to the recovery of loans than to the education of societies. The work of these supervisors is largely judged by their collections and they therefore make realizations by any means possible, usually from individual members, and thus usurp the functions of primary societies and reduce them to impotence. Again it sometimes happens that the banks have more money than existing societies require. It is then to their interest to form new societies to take up their surplus funds, with the result that new societies have in some places been organized merely to suit the purposes of the banks—a complete reversal of the original system. Some banks have also shown a tendency to let control slip into the hands of the director who happens at the time to be the most influential, with the result that they become “one man” affairs. The co-operative movement has thus come to be run on lines which are far from co-operative or even democratic. The cornerstone of the system has come to be not the primary society but the bank. The primary societies are said to exist only in name and their members are bullied by the supervisors on the one hand and the group secretaries on the other.

The main cause of weakness.

29. The staff of the department had for some years been inadequate and quite unable to check the evils which were growing up. It had an impossible task and that naturally

Failure of departmental staff.

affected its work. Formal inspections were made. Defects were noted. But there was no time to do any constructive work, to explain, to persuade, to educate. The staff are said to have developed a tendency to judge banks "by the docility with which they listened to their outpourings" without regard to the work done. Banks resented criticism and friction resulted when either they or the departmental officers wanted anything done, with the result that harmony was gained by a policy of drift. Energy, zeal and initiative gave place to apathy and inertia and the tradition of the staff has, according to the present registrar, been to do nothing that can be avoided.

**Subsidiary
causes**

30. In the opinion of the committee contributory causes of failure were defective organization, corruption, dilatory liquidations, paucity of enthusiastic honorary workers, insufficient government support, hostility of money-lenders, lack of cooperation between the department and landholders, and the tendency to treat the work of the societies as the business of money-lending. The committee regarded illiteracy not so much a cause of failure as an obstacle in the way of success.

**Remedies
applied**

31. The revelations of the Oakden committee could not be disregarded and Government lost little time in taking action on its report. The first step was to obtain an officer with the qualifications which the committee considered as necessary for the important post of registrar, and Government selected an Indian officer of the Indian Civil Service for the post. They have increased the number of deputy registrars by one, of assistant registrars by five, of inspectors by fourteen and of auditors by twenty-nine, while they have also sanctioned the appointment of a further eleven inspectors. But for opposition in the legislative council the number of assistant registrars would have been increased by seven instead of by five. They have also made arrangements to give the new inspectors, and also some of the old ones, more adequate training in cooperative principles, together with some teaching in such matters of importance to the rural population as agriculture and sanitation. The most important step was, however, the reform in the system of supervision. Many banks have now agreed to place the control of their supervising staff in the hands of a provincial union to which Government is being asked to give a suitable grant. Government have also accepted most of the other recommendations of the committee and given effect to them as funds became available. In particular they have directed that wherever possible a member of a primary society or a school teacher should take over the

work of secretary, and that the department should try to secure the cooperation of honorary workers and the rural gentry. They have also instructed the registrar to look to new avenues of development,—the improvement of agriculture, organization of cottage industries, education and sanitation. As already mentioned they have decided not to establish a provincial bank for the present. These remedial measures will, it is hoped, greatly improve the present position, though the registrar considers that the staff is still inadequate and will require further strengthening before it is in a position to undertake satisfactorily all the work expected of it. No great improvement can be expected to result at once. Much preparatory work must be done by purging the movement of the societies which are hopelessly effete and breathing new life into the many societies which are lacking in vitality.

32. The report of the Oakden committee marks a turning point in the department's financial fortunes. Up till then owing to a variety of reasons it did not receive generous treatment. Since then its demands have been more adequately met though, as already mentioned, the present registrar considers that the increase of staff sanctioned is still inadequate.

33. (i) *Legislation*.—There has been no legislation affecting the department since 1919.

The council
and the
department.

(ii) *Resolutions*.—On March 31, 1925, the council adopted a resolution urging Government to allow members of the council to visit all institutions within their constituencies under the direct control of transferred departments and to make suggestions regarding their improvement. So far as is known, no member of the council (other than a director of a bank) has inspected any cooperative society. On December 18, 1925, the council adopted a resolution recommending Government to take steps to promote adult education and in the course of the debate it was suggested that the cooperative movement should be utilized for this purpose. Effect has been given to this suggestion on an experimental basis.

(iii) *Budget debates*.—Some members of the first council were anxious to remove even the slight official element in the bank directorates. In 1921 and again in 1923 the number of inspectors attracted attention. It was suggested that more use should be made of honorary workers, but the motions were not pressed. The appointment of inspectors by the registrar was objected to but Government had already transferred the power of appointment to themselves. Interest was also shown during the 1922 debate in the amount of work done by the administrative officers of the department. In spite, however,

of the council's generally critical attitude the minister had no difficulty in securing the passage of the departmental budget in any of the three years of the first council. The second council realized that all was not well with the movement but did nothing to hamper it by opposition to its budget. There was no discussion on the demand for 1927 owing to the fact that other demands in the same group were discussed at length, but notice was given of a number of motions for reduction. In the present year the council accepted without discussion the scheme for provincializing the supervisors at a cost of Rs. 50,000 but resisted the proposal to raise the number of assistant registrars from seven to nine so strongly that Government decided to defer to the council's view rather than press for the increase. Other substantive motions for reduction were negatived.

(iv) *Questions*.—Questions relating to this department have been of considerable importance. The feeling of the liberals in favour of freeing the department from official direction were clearly evidenced by questions suggesting the appointment of honorary assistant registrars and non-official chairmen for district banks. In the second council communal or personal feeling inspired questions relating to the personnel of the department and to certain appointments. A more healthy interest in the work of the department was, however, also shown. Dissatisfaction was expressed with the inadequate funds given to the department by Government and the strong feeling that all was not well with the department was to a large extent responsible for the appointment of the Oakden committee. The appointment of an Indian Civil Service officer as registrar towards the end of 1926 was strongly criticized in the first session of the present council, which has also shown interest by means of questions in various recommendations of the Oakden committee, the training class for inspectors and certain appointments.

**The
minister
and the
department.**

34. The cooperative department is not one in which ministerial policy has been much felt. The first minister, Mr. C. Y. Chintamani, inherited a policy of *laissez faire* and was so pre-occupied with the problems of the larger departments in his charge that he had not time to impress his personality on this department before he demitted office. His successor, Nawab Muhammad Ahmad Sa'id Khan, appointed the Oakden committee, and it fell to the thir minister, Thakur Rajendra Singh, to give effect to that committee's recommendations. The relations between the ministers and the successive heads of the department have been smooth. The minis-

ters have left the details of administration largely to the head of the department, though the first minister took over from him the power of appointing inspectors, and a later minister directed him not to refuse to register new societies unless he had special reasons for doing so.

35. The administration of the department since 1921 falls into two distinct periods, the first of which was marked by a policy of drift and in the second of which that policy was definitely arrested, the whole position re-examined and remedial action taken where possible. The present registrar is carrying on the work of re-organization with much enthusiasm but evil traditions are hard to break down and the process of reconstruction will necessarily be slow and difficult.

Conclusion-

STATISTICAL APPENDIX.

COOPERATIVE DEPARTMENT.

TABLE A.—*Number of societies and banks and unions.*

	1906-07	1911-12	1914-15	1918-19	1919-20	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27
(a) Credit societies	170	1,258	2,962	3,331	3,623	4,381	5,019	5,391	5,642	5,899	6,135	6,130
(b) Non-credit ..	Not known	Not known	20	19	23	34	38	34	30	22	27	37
(c) Banks and unions	Do.	38	58	53	65	68	68	70	73	73	76	75

TABLE B.—*Staff.*

	1906-07	1914-15	1918-19	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27	1927-28
Registrar ..	1	1	1	1	1	1	1	1	1	1	1
Deputy registrar ..	..	..	..	1	1	1	1	1	1	2	2
Assistant registrar ..	..	2	2	2	2	2	2	2	2	7	7
Inspectors ..	3	12	Not known	28	28	28	28	28	28	41	52
Auditors ..	..	Not Known	..	18	18	18	18	18	33	52	52

TABLE C.—*Growth of department budget.*

	1904-05	1914-15	1918-19	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27	1927-28	1928-29
Not known	Rs. 85,600	Rs. 1,07,100	Rs. 1,60,124	Rs. 1,78,274	Rs. 1,99,301	Rs. 1,86,855	Rs. 2,00,193	Rs. (a)2,22,658	Rs. 2,14,641	Rs. 4,00,845	Rs. (b)4,78,281	

(a) Includes the cost of the inquiry.

(b) Includes Rs. 22,764, non-voted.

CHAPTER III.

CIVIL VETERINARY DEPARTMENT.

36. Being essentially agricultural the United Provinces have a large population of domestic animals (41½ millions according to the census taken in 1925). More than half are cattle, which at present are an integral part of village economy. The cattle are, on the whole, of poor quality and suffer from neglect. Animal diseases are rife—rinderpest, foot-and-mouth, anthrax and haemorrhagic septicaemia in the case of cattle, and glanders and surra in the case of horses. The main duty of the civil veterinary department is to prevent and cure disease. Investigation and research are auxiliary functions, to which have been added the breeding of horses, donkeys, mules and poultry.

37. The department is a small one. At its head is the veterinary adviser to Government. He is assisted by two superintendents and three deputy superintendents. The subordinate staff consists of inspectors, overseers, and veterinary assistant surgeons, who form the executive agency, through which veterinary relief is given. There is theoretically one veterinary assistant surgeon for each *tahsil*. There are very few private practitioners. Of the six controlling officers, three belong to the Indian Veterinary Service, and three to the United Provinces Veterinary Service. Recruitment to the Indian Veterinary Service has now, in accordance with the Lee Commission's proposals, been closed. The subordinate staff were at one time under the direct control of the district boards and the departmental officers were only technical advisers. In 1916 the cadre was provincialized; district boards, instead of paying them direct, were required to pay a fixed contribution to Government. But each board continued to have a voice in the postings, transfers and punishment of the staff in its own district. This system was not affected by the legislation which reorganised the boards in 1922.

38. The work of combating disease by preventive as well as by curative methods falls primarily on the veterinary assistant surgeon, who is the servant of two masters. His is a task of much difficulty. He has to fight disease with an inefficient

system of information, with inadequate powers, and often without the effective support of his immediate masters. For information he must rely on the village accountant, a subordinate official belonging to another department who has sufficient work of his own to occupy his time and no particular inducement to interest himself in the disease of animals. His reports, if submitted at all, are generally too late to be of real use. The veterinary officer has no power to enforce the segregation of animals suspected of suffering from contagious diseases, with the result that such diseases are often spread far and wide before their exact nature has been diagnosed. So long as the chairmen of district boards were officials the disadvantages of the system of dual control were not greatly felt because the chairmen were content to be guided in technical matters by the expert officers of the department and being themselves responsible for the good administration of their districts saw to it that the policy of the department was carried out and also assisted, rather than hindered, the veterinary assistant surgeons in their work. Since the passing of the District Boards Act in 1922 the position has greatly deteriorated. The boards are jealous of what they consider to be their rights and privileges. Themselves entirely ignorant of veterinary science they are apt to be impatient of the advice of skilled veterinarians. Some boards have done much to hinder the work of veterinary relief by trying to reduce the number of assistant surgeons, by giving inadequate grants for medicines and by placing unsuitable accommodation at the disposal of the veterinary officers for use as hospitals or dispensaries. Some boards have forbidden veterinary assistant surgeons from going on tour without the permission of the chairman, with the result that by the time that the officer reaches the scene of an outbreak of disease it is often too late to take effective preventive measures. The department spends much time that could with greater profit be employed on professional work in trying to impress on boards the importance of maintaining an adequate veterinary personnel. The existing system also weakens the control of the head of the department over his subordinate staff and makes it difficult for him to use his staff to the best advantage. Adequate inspection of the work of veterinary assistants in outlying *tahsils* is also sadly lacking.

Breeding operations.

39. The horse-breeding operations of the department are confined to the improvement of the indigenous horse and pony for general utility purposes outside a special tract consisting of the districts of Aligarh, Bulandshahr, Meerut and Muzaffar-

nagar, in which the horse-breeding is under the control of the army remount department. The civil veterinary department supplies the stallions and the district boards maintain them. From 1921 to 1926 the number of horse and pony stallions and the number of mares covered by them steadily diminished as the statement below shows. The number of donkey stallions fell from nineteen in 1921 to twelve in 1923 and since then has been steady at thirteen, but owing to a considerable number of these being unserviceable for stud purposes the number of mares covered has steadily fallen. There has been a real demand for more donkey stallions, but owing to the difficulty of obtaining good stallions in India, and to lack of funds, the department has been unable to meet it. In his report for the year 1926-27 the veterinary adviser stated that more interest was being shown in horse-breeding and a number of new stands were in that year opened or about to be opened for government stallions :—

—		Horses and ponies.	Coverings.	Donkeys.	Coverings.
1921	.. ..	76	3,524	19	870
1922	.. ..	73	3,167	18	755
1923	.. ..	67	2,964	12	626
1924	.. ..	63	2,780	13	500
1925	.. ..	57	2,481	13	440
1926	.. ..	51	2,108	13	473
1927	.. ..	60	2,120	13	387

40. For investigation and research each circle super-Research. tendent has a small laboratory for the examination of slides and morbid material received for test from the districts. A hospital, chief research station and laboratories are maintained at the provincial headquarters. But, as research work has to be done by the veterinary adviser and the superintendents, in addition to their touring and other duties, it suffers from lack of continuity. The department has asked for increased staff including a special officer for research.

41. This province has no institution for veterinary education, and its students are sent to the Punjab or Bengal for training. There was a few years ago a project to set up a provincial veterinary college but, for financial reasons and also because there appeared to be no great prospect of finding employment for the passed students, it was abandoned, and it has not since been revived. At present a few posts are vacant, as service in this province is less attractive than in some other provinces. Last year two scholarships were awarded for veterinary training in Europe.

Veterinary
education.

**Growth of
the depart-
ment.**

42. The departmental budget showed steady expansion up till 1921-22. In the following years owing to retrenchment and to the transfer of cattle-breeding to the agriculture department there was a drop of nearly a lakh, since when the annual grant has shown some increase. In the present year it is three and a half lakhs. Veterinary relief is also partly financed by the district boards. Not only do they contribute towards the pay of the assistant surgeons but they also bear the entire charge (occasionally relieved by Government subsidies) of the construction, equipment and maintenance of the local dispensaries. The strength of the departmental staff has fluctuated little; it was at its lowest in the first year of the reconstituted district boards' career, but has been steadily rising. The apparent reduction of two posts in the provincial service and thirteen in the subordinate one was largely due to the transfer of the cattle-breeding farms and the closing down of the sheep-breeding farm. The number of veterinary hospitals and dispensaries has increased steadily in the last twenty years and is now one hundred and forty-nine; and the number of cases treated has advanced even more rapidly. On the other hand, the staff has had no commensurate addition. The average area per veterinary assistant surgeon is nearly 600 square miles, and in the hill or jungle districts it often exceeds 1,000 square miles; in no district is it smaller than 300 square miles. The present expedient of deputing such subordinates as can be spared to go to the assistance of the affected areas is proving inadequate. Expansion of staff and more attractive conditions of service are thus two of the urgent needs of the department. The present scale of expenditure is by no means high, when the large animal population, the area over which it lives, its poor condition, neglect and susceptibility to disease, the extreme poverty of many agriculturists to whom the loss of a bullock or a cow may mean the loss of livelihood, the increasing popularity of veterinary relief and the growing demand for it are considered.

**Attitude of
the council.**

43. The department has attracted little attention in the council. Budgets have been well received. The department's work is appreciated. But the sympathy and appreciation have been somewhat passive.

STATISTICAL APPENDIX.

(1) Budget (in lakhs).

1919-20	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27
1.80	2.34	4.05	3.62	3.43	3.17	2.26	3.49

(2) Number of hospitals, dispensaries, villages visited, cases treated (including castrations performed).

	1919-20	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27
(a) Hospitals and dispensaries	95	109	117	121	126	129	138	149
(b) Villages visited	16,500	15,600	16,600	15,900	12,600	12,400	16,800	14,175
(c) Cases and castrations	180,022	181,848	204,727	236,209	227,122	244,277	312,853	273,203

NOTE ON (b) AND (c).—These figures are not very reliable, but are however useful for comparative purposes.

(3) Staff (exclusive of the Veterinary Adviser).

	1919-20	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27
(a) Superintendents	2	3	3	3	3	3	3	3
(b) Deputy superintendents	3+2	3+2	3+1	3+1	3	3	3	3
(c) Veterinary inspectors	18+2 (farm)	18+2	18+2	18	18	18	18	18
(d) Assistant surgeons	163	177	183	183	175	175	178	183

CHAPTER IV.

EXCISE DEPARTMENT.

**Organiza-
tion.**

44. The excise department is administered by the excise commissioner under the Minister for Agriculture. The commissioner is assisted by nine assistant commissioners of whom one acts as his personal assistant and each of the others is in charge of a portion of the province. Under the assistant commissioners come the excise inspectors of whom there are one hundred and forty-nine and peons who number three hundred and seventy-three. The department affords a good illustration of the anomalies of the dyarchic system. The post of excise commissioner is borne on the cadre of the Indian Civil Service. The minister has therefore ordinarily to obtain the head of the department from a service that is reserved. The assistant commissioners work directly under the commissioner but the control over the inspectors is divided between the district officer, who again is a member of a reserved service, and the assistant commissioner, and the sphere of each of these authorities is somewhat ill-defined. The district officer himself also has certain important functions in regard to excise administration and one of his superior staff is ordinarily designated the district excise officer. The assistant commissioners are therefore an important link in the organization. It is their duty to co-ordinate the work of the districts, to see that government policy is being carried into effect and that the district excise administration is maintained in a state of efficiency. The department is at present engaged in examining the rules which regulate the division of work between the assistant commissioners and the district staff with a view to their simplification. The department is also to a considerable extent dependent on the goodwill and assistance of another reserved department, viz., the police, and has sometimes felt that it was not getting all the assistance that it might get in dealing with excise crime. The staff of the department has been little changed since 1921. One post of assistant excise commissioner was abolished in 1924 but has again been restored. Twenty posts of excise inspectors were abolished in the same year and of these ten have had to be restored. There is little doubt that the staff of the department requires to be strengthened.

45. The policy which the first minister inherited from **Policy**. the pre-reform Government was defined in the Excise Manual as follows :—

“To minimize temptation to those who do not consume excisable articles and to discourage excess on the part of those who do. In the case of liquor it has been laid down that the most effective method of furthering this policy is to enhance taxation to the largest point possible without stimulating illicit production and without driving people to substitute deleterious drugs for alcohol or a more for a less harmful form of liquor. To this end all purely fiscal considerations are to be subordinated and the principle to be kept in view is that the largest possible revenue should be raised from the smallest possible consumption by methods which admit of the most efficient supervision and control.”

Government took the view that a traffic in intoxicants was inevitable and their aim was to regulate the traffic so as to minimize the evils inseparable from it, and to avoid any action which might tend to stimulate existing or to create new demands for liquor or drugs. The first minister, soon after taking office, appointed a committee, under the chairmanship of a senior member of the Indian Civil Service, to consider the question of policy as well as various administrative matters. That committee approved the policy of the pre-reform period subject to a change of emphasis. The Government accepted the committee's view and declared that all considerations of revenue would be subordinated to the promotion of temperance. The first legislative council may be held to have been in full accord with this policy since no member raised the matter either during budget debates or by means of a resolution. The second minister convened an excise conference in December 1924, and among other matters referred to it the question of the promotion of temperance. The conference recommended that Government should re-state the aims of their policy as the promotion of total abstinence and that they should omit all reference to the promotion of revenue as these might mislead both the public and the excise and revenue officers of Government. Before Government had decided their attitude to this recommendation the question of policy was raised in the legislative council by means of a resolution moved by a member of the *swaraj* party on March 31, 1925, recommending Government to *accept and declare that total abstinence is the aim and object of excise policy and to give effect immediately to the proposals of the Excise Conference with a view to achieve this end and to adopt measures including local option*

and rationing and registration for a speedy attainment of the said object. The resolution was put in two parts and the first part recommending Government to declare that total abstinence was the aim of excise policy was passed with the consent of Government while the second part asking for the adoption of particular measures was negatived. In the following August Government issued their decisions on the recommendations of the conference. They pointed out that there had been a very striking decrease in consumption which they attributed partly to the force of public opinion and partly to Government restrictions, and stated their belief that the move towards temperance would be continued and would culminate in abstinence. At the same time they stated that they saw no sufficient reason to alter the definition of excise policy contained in the Excise Manual. They had already accepted with equanimity the loss of some fifty lakhs of excise revenue and they held the view that that was in itself a sufficient indication of their readiness to subordinate considerations of revenue to the promotion of abstinence. The *swaraj* members of the council were dissatisfied with Government's decision and their leader, on December 21, 1925, asked Government to *declare unequivocally by embodying in the Excise Manual that the aim and object of excise policy was total abstinence.* In replying Government again stated that their policy was total abstinence but they refused to accept the resolution which was ultimately put and negatived. In the third council an effort was made to force Government to go a step further by accepting a policy of prohibition. An important debate took place on January 23, 1927. Government refused to accept a policy of prohibition but agreed to an amendment urging them *to bring about total abstinence from liquor as speedily as possible and circulate for public opinion a bill embodying the principle of local option and to take other measures for the purpose.* The accepted policy of Government is therefore the promotion of total abstinence.

**Pre-reform
administration.**

46. Up till 1906 excise was administered entirely by the revenue staff under the district officer. In that year excise inspectors were appointed for the first time. A few years later three assistant commissioners were appointed and the number of these officers was gradually increased till there were nine in 1920. Advisory committees were introduced in the year 1910-11. There were thirty-seven such committees in 1920. They were all in municipalities and their function was to advise on the number and location of shops within municipal limits. The contract system of supplying country liquor was first introduced in 1909-10 and gradually extended till in

1920 it was in force in thirty-seven districts. Drugs were settled under a farming system. The country liquor shops were let annually by auction while foreign liquor shops were let at fixed fees settled by the district officer. Between 1900 and 1921 the duty on country liquor and drugs was gradually raised and the number of shops was steadily reduced. In the same period the amount of opium sold fell by over thirty per cent. and of *bhang* by nearly and of *charas* by over fifty per cent., but the reduction in the sale of country liquor was small, while the sale of *ganja* nearly doubled. Revenue rose in the case of country spirit from 42 to 112 lakhs, of drugs from 13 to 36 lakhs, of opium from 7 to 19 lakhs, and of foreign liquor from 6 to 9 lakhs. The period was therefore one in which a very large increase in revenue was accompanied by a considerable reduction in the consumption of drugs and a slight reduction in the consumption of liquor.

47. The first minister introduced far-reaching changes in the details of administration. The principal reforms were these—

Administrative changes made by the first minister.

- (1) the auction system of letting shops was replaced by a system under which the licence fees are based on the amount of sales;
- (2) licensing boards were introduced in the sixteen larger municipalities with powers to reduce the number of shops situated within their jurisdiction to one-third of the original number. In the smaller municipalities and rural areas advisory committees were given power to recommend the reduction of shops to any extent which they considered proper;
- (3) the hours of sale were restricted;
- (4) the opening of excise shops at fairs and festivals was stopped;
- (5) the age limits of persons employed in excise shops and to whom intoxicants can be sold was raised to 18;
- (6) the trial of excise cases was entrusted to magistrates other than excise officers.

Most of these changes were based on the recommendations of a strong committee with a non-official majority. In two important matters, however, Government departed from the committee's recommendations. They increased the duty on country liquor, and they did not provide the extra number of

assistant commissioners which the committee considered necessary for the efficient administration of the department after the reforms proposed by them had been carried into effect. The number of shops was still further reduced, but the most remarkable feature of the period was the reduction in the consumption of country liquor from 1·13 to 0·47 million gallons and the reduction in the revenue from the same spirit from 112 to 65 lakhs. The causes of these reductions are discussed in a later paragraph.

**Features of
the second
ministry**

48. The principal features of the administration of Nawab Muhammad Ahmad Sa'id Khan, the second minister, were—

- (1) an inquiry into the prevalence of illicit distillation;
- (2) the consideration of the proposals of the Economy committee; and
- (3) the Excise Conference in December 1924.

(1) The very large decrease in the consumption of country liquor naturally suggested that a point had been reached at which the high duty had made liquor too dear for many consumers and that such persons were possibly obtaining supplies from illicit sources. Special staff were deputed to inquire into the prevalence of illicit distillation in a particular tract. The result of this inquiry was to show that in that area at any rate it was being carried on on an extensive scale. Orders were therefore issued that the excise staff throughout the province were to devote particular attention to this form of crime.

(2) The Economy committee proposed that excise inspectors should be placed under the district officer and that as a consequential measure the number of assistant commissioners should be reduced from nine to four. Government rejected the first of these two proposals, but decided to reduce the number of assistant commissioners by one as an experimental measure. On the committee's recommendation Government also reduced the number of inspectors by twenty and peons by fifty-five. These reductions were dictated by the financial position but came at a most unfortunate time. Ten inspectors and forty peons were restored the following year on the recommendation of the Excise Conference and the legislative council has in the present year agreed to the restitution of the post of assistant commissioner. The department has, however, still ten inspectors fewer than it had in the last year of the pre-reform period. The present excise commissioner considers that the reduction of staff has had a very undesirable effect as many districts are now undermanned and excise administration has

in consequence deteriorated. He is of opinion that the cost of increasing the staff would be more than recouped by an increase in government revenue.

(3) The Excise Conference made numerous recommendations of an administrative nature. The more important, all of which have since been accepted by Government, were—

- (1) that the system of licensing boards be extended and the representation of local boards on them be increased;
- (2) that a provincial excise advisory board be established;
- (3) that a local option bill be prepared;
- (4) that there should be no reduction in rates of duty no increase of shops or hours of sale and no change in the system of letting country liquor shops;
- (5) that opium smoking in public should be prohibited;
- (6) that the sealed bottle system of vend of country spirit should be extended.

The number of country liquor shops, the consumption of liquor and the revenue from it all continued to decrease though in each case the pace was naturally much slower than in the previous two years. The revenue from foreign liquor which had gone up in the years 1921 and 1922 fell to practically the 1920 level. The consumption of drugs continued to fall but the revenue was almost steady owing to the increase of taxation in the years 1923-24 and 1924-25.

49. Thakur Rajendra Singh assumed charge of excise in January 1926. He continued the policy of his predecessors and resisted an attempt to force Government to accept the policy of prohibition. He extended the surcharge system of licence fees to foreign liquor shops with satisfactory results. He also established the Excise Advisory Board and prepared and circulated a local option bill. The board is composed of a member of the Board of Revenue as chairman, six members of the legislative council, three chairmen of licensing boards, the excise commissioner, a district officer and an assistant excise commissioner. The Board has made a useful start and has already shown itself in favour of an increase in the staff of the department. During this ministry the number of liquor shops was only slightly reduced and the number of drug shops, including opium, began to show a small increase. Consumption of country liquor continued to decline till 1927-

**The third
ministry.**

28 when it again began to increase with a corresponding increase in revenue. There was little variation in the consumption of drugs but the revenue began to show an upward tendency.

Important changes.

50. The period since 1921 has thus been one of very considerable activity in the department. The principal administrative reforms introduced have been—

- (1) enhancement of duties;
- (2) extension of the contract supply system to hemp drugs;
- (3) substitution of the surcharge system of licence fees for the auction system;
- (4) extension of the sealed bottle system of vend of country spirit;
- (5) certain of licensing boards and provincial advisory board;
- (6) extension of the tree-tax system of *tari*;
- (7) curtailment of the hours of sale; and
- (8) reduction of the number of shops.

Some of these changes demand further notice.

The surcharge system.

51. The most important change in excise methods has been the substitution of a system of surcharge on sales for the auction system of letting shops. Under the pre-reform system—which is still in force in some other provinces—each country liquor shop was annually put up to auction and let for the succeeding year on the result of the auction, generally to the highest bidder. It has been claimed for that system that it was easier to work and brought in a larger revenue than the surcharge system, and gave licensees a stronger interest in the suppression of illicit stills. There are those who hold that a return to the old system would immediately result in a large increase in revenue without in any way increasing the consumption of liquor. The view taken by this Government, however, has been that licensees paid such large sums for their shops that they could not by honest dealing gain even a moderate profit, with the result that decent men would not bid, and that it was worth while sacrificing some revenue to obtain a better type of licensee, who, having only to pay a fee based on sales, can afford to remain honest and not sell adulterated liquor. The present excise commissioner reports that there has been a marked improvement in the status of the licenses under the new system. Another advantage claimed for the present system is that it is more scientific and enables the

state to apportion the profit of the trade between itself and the licensee. On the other hand it is recognized that for its successful working a well trained, honest, energetic and adequate staff is required. The new system has not been long enough in force to compare its results with the old system, but the legislative council has all along approved of it and there is no reason to suppose that it would at present look with favour on any proposal to go back to the old one.

52. Another important feature has been the increase in restrictive measures. These have taken three main forms: Restrictive measures. (1) increase of taxation, (2) reduction in the number of shops, and (3) reduction in the hours of sale. The duties on the different forms of excisable articles at different periods are shown in the appendix to this chapter. That on country liquor was raised from Rs. 2 in 1900-01 by gradual stages to Rs. 4 in 1918-19, and thereafter to Rs. 6-4 in 1920-21, Rs. 9 in 1921-22 and Rs. 10-6 in 1922-23. In the twenty years prior to 1921 the number of country liquor shops was reduced from 6,022 to 3,941 and in the seven years since 1921 to 2,258. In the same periods the number of drug (including opium) shops was reduced from 4,774 to 4,170 and then to 2,969. The hours of sale in the pre-reform period were from sunrise to 9 p.m. and in 1922 were changed to noon to 7 p.m. (in summer 8 p.m.) in towns and to sunset in rural areas. The hours were lengthened in 1923 but in 1924 were again restored to those fixed in 1922. The average area served by shops is now 45.76 square miles which is still smaller than the similar area in any other province except Madras and the Central Provinces. The hours of sale are nearly the shortest in India. There is no doubt that the combined effect of these restrictions has been to reduce very greatly the facilities for obtaining liquor.

53. Another development has been the greater influence Local opinion. given to local opinion. Committees existed in a considerable number of municipalities before 1921 but their functions were purely advisory. Since then licensing boards have been established in the larger municipalities with powers to decide not only the number and location of shops but also to select licensees therefor. They are also empowered to reduce the number of shops to one-third of the number which existed when the boards were first constituted. All their decisions are, however, subject to the orders of Government on appeal by the excise commissioner. In addition committees have been set up in the other municipalities and also in rural areas and these too have been given some real, though restricted,

powers. Government have acknowledged the useful work done by the licensing boards and expressed the view that they have been "valuable assistants in excise administration." They have also recorded that the committees have "acted on the whole with due sense of responsibility." Government have been pressed to accept the principle of local option but so far have not committed themselves to any further step in that direction than the preparation and circulation of a bill. Their aim throughout has, however, been not only to keep in close touch with public opinion, but to act in accordance with that opinion wherever possible. But public opinion, so far as it is vocal, is mainly the opinion of the educated and non-drinking classes, while Government naturally have to consider the feelings of the classes principally affected by temperance measures as well as the practical possibilities of the existing situation.

**Decrease of
consumption.**

54. No feature of the period since 1921 has been more remarkable than the decrease in the consumption of all excisable articles. This has been specially marked in the case of country spirit on which duty has been paid and has been accompanied by a corresponding decrease in the revenue from that duty. The initial drop in consumption came suddenly and clearly resulted from the heavy increase in the duty from Rs. 6-4 first to Rs. 9 and the following year to Rs. 10-6, combined with the effects of the non-cooperation campaign, a particular feature of which was the picketing of liquor shops. In the two years 1921-22 and 1922-23 the decrease amounted to five hundred thousand gallons or almost sixty per cent. But when the influence of the non-cooperation movement was no longer effective, there was no recovery. On the contrary consumption continued to fall steadily but much more slowly till the year 1927-28 when it received its first check. Two conclusions can safely be drawn: firstly, that the non-cooperation temperance propaganda had a very great influence on consumption; and secondly that other causes were also at work. These other causes clearly were the increase in the duty, the reduction in the number of shops and the shorter hours of sale. There can be no doubt that the duty has raised the retail price of country liquor beyond the means of many consumers, while recent inquiries made by the excise commissioner have led him, to think that the reduced facilities for obtaining liquor owing to closure of shops and shorter hours of sale also have checked consumption to a large extent. That the consumption of liquor on which duty has been paid is now only about a third of what it was in 1920-21 is an undoubted and remarkable fact. Whether it betokens a real

advance in temperance is a more open question. Three schools of thought can be distinguished. There are, *firstly*, those who believe that there has been a real movement in favour of temperance among those classes who consume the bulk of the country liquor. The upper classes in this province are, generally speaking, abstainers and it is said that the social reform movement and the desire to rise in the social scale have been gradually discouraging the drinking habit among lower strata of society. *Secondly*, there are those who hold that economic pressure was originally the main factor, and that many of those who formerly drank liquor were forced to abstain because they could no longer afford to indulge in it or could no longer obtain it with the same ease owing to the closure of shops and the shorter hours of sale, and that such persons have quite genuinely accustomed themselves to do without it, not from conviction so much as from necessity. The excise commissioner in his report for the year 1922-23 took this view. He pointed out that the superintendent of census operations in his report on the 1921 census in this province drew attention to the ability of the peasant to accommodate himself to economic pressure by cheerfully dispensing with luxuries, and he gave it as his own view that the liquor consumer was not the slave of habit, like the opium-eater, and could reduce his allowances or even abstain altogether without much effort when need arose. *Thirdly*, there are those who quite frankly believe that restriction has been carried too far and that illicit distillation has increased to such an extent that a very large number of persons who formerly consumed duty-paying liquor now obtain the illicit article. The present excise commissioner, while holding that the total consumption of liquor, licit and illicit, is less than it formerly was, admits that the efforts to suppress illicit distillation have not kept pace with the restrictive measures which in the case of many old consumers amount practically to prohibition. He points out that in some other provinces the duty has been raised to an even higher figure than in this province without any marked fall in consumption and with an increase instead of a decrease in revenue. But in these provinces the incidence of excise crime detected has increased to a far greater extent than in this province. From a study of comparative statistics the excise commissioner concludes that "unless the consumer of country spirit in this province is really less of a slave to the drinking habit and requires less moral effort to induce him to be abstemious than his brother drinker in other provinces of India, the comparatively greater fall in the incidence of con-

sumption in this province is probably due to our greater negligence in the suppression of illicit distillation than other provinces have shown." While it is impossible to assess the exact influence of each factor, it seems certain that the social reform movement, economic pressure and restrictive measures, have all had a greater or less influence in causing the large reduction in the consumption of licit country liquor. There has certainly been a considerable increase in the illicit article, a matter which is at present occupying the attention of the Government, but there is no reason to believe that such increase has been sufficient to counterbalance the enormous decrease in the consumption of licit spirit.

Drugs.

55. The decrease in the consumption of drugs, if less spectacular than that of country liquor, is also deserving of notice. The drugs concerned are *ganja*, *charas*, *bhanga* and opium. The figures for *charas* increased from 12,360 seers in 1900-01 to 23,308 seers in 1920-21 but had dropped to 12,448 by 1922-23 and after being lower in the intervening years have again returned to the neighbourhood of that figure. *Charas*, *bhanga* and opium on the other hand seem to become steadily less popular. The consumption of *charas* fell from 92,600 seers in 1900-01 to 44,511 in 1920-21 and to 24,889 in 1926-27; of *bhanga* from 404,147 seers in 1900-01 to 216,433 in 1920-21 and to 111,851 in 1926-27; and of opium from 58,157 seers in 1900-01 to 39,264 in 1920-21 and to 22,295 in 1926-27. The duties on these drugs have been largely increased since 1920-21 but the revenue for the hemp drugs has remained practically steady and that from opium has actually gone up.

A constitutional question.

56. The excise department affords an interesting illustration of one of the difficulties of dyarchy, namely, the incomplete nature of the division of subjects. The administration of excise by successive ministers has resulted in a reduction of revenue amounting to more than half a crore of rupees. It is obvious that in a province, the total normal revenue of which is only about twelve crores, the effects of such a loss cannot be confined to the department concerned, or even only to the transferred departments, but must recoil also on the reserved departments. The department thus affords a clear instance in which ministerial policy in a transferred department has affected the administration of the reserved departments.

Relations with the Government of India.

57. Another point of constitutional interest arises from the administration of this department. At present the Government of India control the import of foreign liquor and derive revenue from customs duties on the import of such

liquor. Local governments have very limited powers even over the transport of this liquor. Owing, however, to the increase in the duty on country liquor a position has now been reached in which the cheaper brands of foreign liquor can compete with country liquor. In such a position it is obvious that a local government may find itself hampered in carrying out a temperance policy by heavy imports of cheap foreign liquor into the province. Further, the Indian Taxation Committee advocate that the powers of local governments over such liquor should be restricted rather than extended, regarding the matter more from the point of view of a central government anxious to safeguard its customs revenues than from that of a local government anxious to promote temperance. It is understood that two local governments have taken special measures to protect their own interests which the Government of India have resented. The whole matter is under the consideration of the Government of India. No local government can be expected to submit willingly to its policy in such a matter as temperance being seriously interfered with merely in the interests of the revenues of the central government.

58. The excise policy of one province is necessarily a matter of much interest to its neighbours. Questions of import and export of excisable articles, of smuggling, of differences in rates of duty and sale prices and of the location of shops on the borders are bound to arise from time to time. The difficulty of settling such questions as have arisen has not been enhanced by the Reforms, though, as has been pointed out elsewhere, a situation might arise in which the Government of one province might seriously affect the Government of another without either the latter Government itself or the Government of India being able to do anything to protect it owing to the restricted nature of rule 49 of the Devolution Rules. The adoption of a policy of prohibition is an example of a measure that might create such a situation. In 1926 the Government of India convened a conference of representatives of all provincial Governments to discuss excise matters with a view to overcoming inter-provincial difficulties and securing some measure of uniformity of aim and method. The conference served a useful purpose by bringing officers from different provinces and also from Central India and some states into touch with one another.

59. (i) *Legislation*.—The council has passed two acts which concerned excise administration—

(a) The United Provinces Excise (Amendment) Act, 1923.

(b) The United Provinces Opium Smoking Act, 1925.

Relations
with other
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ernments.

The council
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department.

The former gave statutory authority to licensing boards and raised the age limit for the sale of liquor. There was no discussion on the merits of the bill, but, as has been explained in the chapter relating to the legislature, one member attempted to move certain amendments which the president ruled out of order. The Opium Smoking Act made it a penal offence for two persons to smoke opium in company. It gave rise to a certain amount of discussion. Government were pressed from one side to make the measure more stringent and from another to relax the penalty clauses. The majority of members, however, approved the middle course taken by Government and passed the measure without any real difficulty. A local option bill has been drafted and circulated for opinion.

(ii) *Budget debates.*—The position of the minister in charge of excise has not been easy. The council as a whole has consistently favoured a policy of severe restriction of facilities for obtaining excisable articles. It has with equal consistency insisted on economy in staff, though a strong preventive staff is an essential corollary to a policy of restriction. It cannot be said that the council has rejected any proposals for increase which Government have put forward, but only that its general attitude has influenced the minister and possibly kept him from putting forward proposals with little chance of acceptance. The council has induced Government to make reductions in the department's grant in certain years, but these have never been important. Questions that attracted particular attention were the number of assistant commissioners and the grant of rewards. In the first council Government had to resist attempts to abolish or reduce the number of assistant commissioners, this they were successful in doing. though in 1923 they found it advisable to promise to re-examine the whole question in the light of the proposals of the Economy committee. In the following year they agreed to reduce one post, but experience showed this to have been a mistake and in the present year the council agreed to restore the post. In 1922 and again in 1923 Government accepted reductions in the allotment for rewards, and in 1924 had a larger reduction than they were ready to accept carried against them. Government agreed to reductions under the head of travelling allowances in 1923 and again in 1926. The budgets for 1925-26 and 1927-28 were voted without discussion. A motion for the reduction of a supplementary estimate in 1924 led to an alteration in the hours of sale which had been extended some months previously.

(iii) *Resolutions.*—The most important resolutions have been referred to in the paragraph dealing with policy. The

council has shown more interest in wider questions of policy affecting this department than it has shown in similar questions in any other department, and it has undoubtedly had an important influence in shaping the excise policy of Government. Resolutions of a less far-reaching nature have concerned such matters as the abolition of posts of assistant commissioner, the hours of sale and the appointment of a standing excise committee. Government were able to secure the rejection of the proposal to abolish assistant commissioners which they held would defeat the ends of temperance and would have left a transferred department largely dependent on the agency of a reserved department for the carrying out of its policy. The resolutions relating to the hours of sale and the appointment of a standing excise committee were withdrawn on assurances from Government.

(iv) *Questions*.—Questions have been numerous and have ranged over a wide variety of subjects. A certain number were prompted by communal feeling or dealt with purely personal matters. The more important subjects touched on were the closing of shops at the *Holi* festival, prohibition, extension of the system of licensing boards and association of the members of the legislature with these boards, enlargement of powers of advisory committees, introduction of local option, establishment of an excise advisory board, etc. Questions rarely influenced government policy but were undoubtedly a useful means of giving and acquiring information.

(v) *Summary*.—All three councils have taken a well sustained interest in excise administration and each has had an influence in shaping government policy. The personal feeling of a majority of the members has undoubtedly been in favour of a policy in advance of that actually adopted by Government, but they have on the whole dealt with the problem in a practical manner and realized the need for ordered progress if real and lasting results are to be achieved, though they have so far failed to show any recognition of the view that a policy of severe restriction can only be enforced by a strong preventive staff.

60. Up till 1922 the head of the department had been an officer of the Indian Civil Service, but in that year the minister was enabled to promote to the post of excise commissioner, Mr. T. Gibb, an officer who had received his training in excise in England but had a long experience of excise administration as deputy commissioner. The relations between this officer and successive ministers were smooth and easy. In no other department has ministerial policy involved so many and so extensive changes in the previously existing

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system, but in no other department have the staff co-operated more loyally with the minister. There has been little interference by any minister in those details of administration which should be left to the head of the department and there have been no difficulties in the matter of appointments.

**Relations
with other
depart-
ments.**

61. The peculiar position of the department has already been explained. It is largely dependent or reserved departments not only for co-operation and assistance but in certain respects even for the actual carrying out of its policy. District officers have not altered their attitude to the excise department on account of its transfer, and many of them have shown much interest in its work and been particularly helpful, even in the midst of their other multifarious and pressing duties. There was one case in which the revenue authorities supported an inspector against the minister's order of transfer but this difficulty arose rather from the dual system of control over excise inspectors than from the divided nature of the Government. The department would like to feel that the police were as much interested in excise as in ordinary crime. But here again the excise commissioner does not attribute lack of co-operation to the dyarchic system of government so much as to the departmental system. The police have been much pre-occupied with their own particular work and undoubtedly have felt that the government policy of restriction has increased illicit distillation so greatly that it is a hopeless task for them to attempt to cope with it and that it is unreasonable to expect them to exert themselves more when the staff of the excise department itself has actually been weakened. There was one sharp conflict of opinion within the Government over an excise case. The member in charge of administration of justice supported a district officer in opposing an appeal against an acquittal which the minister wished to be filed. The Governor ordered that the case was one in which the decision should lie with the minister. The appeal was filed and was successful.

Conclusion.

62. Enough has been written to show that the period has been one in which the ministers have had a very definite policy and have introduced numerous administrative changes in pursuance of that policy. The policy has been in full accord with general opinion as publicly expressed. Provincial revenues have suffered severely, but success in achieving the goal of the present policy of abstinence must be accompanied by loss of revenue and provided that the reduction in the consumption of country liquor proves to be real, public opinion will consider that revenue has been lost in a really good cause and that the price paid was not incommensurate with the results achieved.

STATISTICAL APPENDIX.

TABLE A.

Successive rise of excise duties.

	1900-01	1901-02	1907-08	1913-14	1918-19	1919-20	1921-22	1922-23	1927-28
	Rs.	Rs. a. p.	Rs.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Country liquor	2	2 8 0	3	3 8 0	4 0 0	6 4 0	9 0 0	10 6 0	10 6 0
Ganja	6	6 0 0	11	11 0 0	16 0 0	20 0 0	30 0 0	30 0 0	34 6 0
	to 9	to 9 0 0								and	and
Charas	3	4 0 0	5	7 8 0	10 0 0	10 0 0	17 8 0	17 8 0	..
Opium	4	4 0 0	8	12 0 0	16 0 0	22 0 0	30 0 0	..	50 4 0
					and 18 0 0	and 25 0 0	and 35 0 0		
Foreign liquor	17	..	..	18 0 0	30 0 0	40 0 0	55 0 0	60 0 0	70 00
				to 18	to 22 0 0	to 32 8 0			
Foreign liquor	6	..	7	9 6 0	11 4 0	..	18 12 0	21 14 0	21 14 0

NOTE.—The years shown above do not, except in the case of country liquor, represent the years with effect from which the duties were raised; but they serve to show the other duties in force in those years.

TABLE B.
Revenue (in lakhs).

	1900-01	1914-15	1918-19	1919-20	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27
Country liquor	42.52	78.88	100.46	107.65	112.00	78.70	65.50	60.22	57.32	53.38	51.90
Hemp drugs	12.74	25.58	28.23	33.80	36.23	37.20	37.23	34.27	35.96	35.62	36.16
Opium	7.48	12.48	14.34	17.87	19.15	19.00	17.85	17.56	17.15	23.01	23.40
Tari	1.45	3.42	3.91	4.35	4.70	3.36	3.86	5.20	5.11	5.10	5.20
Foreign liquor	5.86	3.43	8.71	8.34	8.61	9.89	9.47	9.34	8.73	8.85	9.09
Miscellaneous	0.02	0.48	0.44	0.45	0.43	0.44	0.45	0.41	0.57	0.49	0.59
Total	70.07	124.27	156.09	172.46	181.12	148.59	134.36	127.00	124.84	126.45	126.34

TABLE B1.
Expenditure on the department (in lakhs).

1907-08	1914-15	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27
1.97	4.79	7.95	8.19	8.71	7.69	7.64	15.09	12.70

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TABLE C—CONSUMPTION.

Statement showing consumption of country spirit, ganja, bhang, charas, opium and foreign liquor in the United Provinces during the following years :—

Year.	Country spirit	Ganja.	Charas.	Bhang.	Opium.	Foreign liquor in gallons.		
	L. P. gallons	Seers.	Seers.	Seers.	Seers.	Wines.	Spirits.	Beer.
1900-01	1,214,798	12,360	92,600	404,147	58,157	Not available.		
1914-15	1,323,833	24,056	41,234	230,779	61,666	27,181	55,037	144,700
1918-19	1,468,020	21,994	46,413	229,165	47,066	18,839	52,708	333,769
1919-20	1,115,934	22,461	41,864	185,016	40,843	22,207	59,896	134,357
1920-21	1,138,030	23,308	44,511	216,433	39,364	26,792	70,010	253,599
1921-22	576,881	16,350	32,981	155,810	34,464	19,970	68,533	296,320
1922-23	473,077	12,448	37,913	1,30,829	29,398	33,283	46,578	239,161
1923-24	430,104	7,963	37,524	120,010	24,128	21,846	59,623	201,120
1924-25	400,505	9,802	26,702	115,607	23,291	14,081	75,257	226,346
1925-26	371,453	11,486	24,774	115,714	21,996	16,377	69,651	215,165
1926-27	360,804	12,488	24,889	111,851	22,295	28,823	54,973	241,267
1927-28 (eleven months) ..	348,080	13,112	25,025	111,349	20,872	Not received as yet.		

TABLE D.
Number of shops.

	1900-01.	1907-08.	1914-15.	1917-18.	1920-21.	1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.
Country liquor. { Country spirit Tarl	6,022	5,488	4,646	4,248	3,941	3,784	2,833	2,611	2,322	2,282	2,268	2,258
Drugs	4,240	3,832	2,922	2,692	2,305	2,315	2,142	2,002	1,863	1,750	1,714	1,624
Opium	3,632	3,730	3,458	3,272	3,159	3,087	2,597	2,343	2,070	2,009	2,000	2,060
	1,142	1,183	1,083	1,053	1,011	992	921	901	871	882	885	900

TABLE D1.
Hours of sale.

1900-01.	September 1922.		September 1923.		March 1924.	
	Urban.	Rural.	Urban.	Rural.	Urban.	Rural.
15 hours .. { Sunrise .. to .. 9 p.m.	Noon to 7 p.m. 8 p.m. (summer)	Noon to sunset.	12 hours { 9 a.m. to 9 p.m.	Sunrise to sunset.	Noon to 7 p.m. (8 p.m. in summer).	Noon to sunset.

TABLE D2.
Average area in square miles served by a country liquor shop in the United Provinces compared with other provinces (figures relate to year 1924-25).

Year.	United Provinces.	Madras.	United Provinces.	Bihar and Orissa.	Bengal.	Bombay (minus Sind).
1924-25	45.76	24	41.37	40.89	70.38	47.23

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TABLE E.
Showing staff.

	1900-01.	1907-08.	1914-15.	1917-18.	1920-21.	1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.
Excise commissioner ..	1	1	1	1	1	1	1	1	1	1	1	1
Deputy excise commissioner.	..	..	..	..	..	1	1	1	..	..	..	..
Assistant commissioners	..	..	7	9	10	9	10 (c)	9	8	8	8	8
Excise inspectors ..	48	81	153	162	159	159	159	159	139	149	149	149
Peons	22	131	335 (a) (b)	362	363	380	388	349	314	354	373	373

(a) Includes five employed for five months. (b) Includes twelve employed for five months. (c) Includes one employed for one month.

TABLE F.
Detection of excise crime—number of cases taken to court.

	1917-18.	1918-19.	1919-20.	1920-21.	1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.
Country liquor	510	810	568	697	684	1,210	1,200	1,735	1,382	1,520	..
Opium	305	271	322	263	199	179	204	264	244	225	..
Cocaine	34	11	45	70	65	155	179	264	312	232	..

(1) Figures for 1927-28 are not yet available.

(2) Cases relating to breach of conditions of licence are not included in the last six years.

CHAPTER V.

INDUSTRIES DEPARTMENT.

Explanatory.

63. Industries is not entirely a transferred subject. Boilers and factories, industrial welfare, and other minor subjects are reserved. This chapter deals with the working of the transferred portions of the department.

History of the department.

64. In the United Provinces organized state activity for the fostering of industries dates practically from Lord Curzon's Viceroyalty. Numerous inquiries into trade conditions had from time to time taken place, and some monographs on different subjects had been written. Exhibitions to stimulate commerce and industry had been held. These were primarily agricultural in character, but there was a growing tendency to include manufactured goods, especially artistic handicrafts. The opportunity of participating in exhibitions in other provinces and even outside India was occasionally utilized. Attempts were made to provide marketing facilities for artistic handicrafts. But state activity before 1907 was casual and sporadic. In 1907 Sir John Hewett, who had been the first Member for Commerce and Industry in the Government of India, was appointed as Lieutenant-Governor and at once took steps to develop trade and industries. Government appointed an officer of the Indian Civil Service to survey the existing field of industry; held a conference which was attended by industrialists and others interested in industry; and submitted to the Government of India a scheme for developing industrial and technical education. The main points in this scheme were the establishment of a technological institute and technical and industrial schools, and the creation of a provincial department to deal with industrial questions and the control of technical education. The Secretary of State refused to sanction the technological institute, and the provincial department was not created till 1910. In the same year an important agricultural and industrial exhibition was held at Allahabad which, it has been claimed, paved the way for great developments. The first head of the new department, known as director of industries, was an engineer. He was succeeded by an agricultural officer and that officer by two Cawnpore

businessmen in succession. From 1919 onwards officers of the general administrative services have held the post. The present incumbent, who was appointed in 1922, is a Provincial Civil Service officer holding a post on the I. C. S. cadre.* Between 1907 and 1914 the department made some progress chiefly in the direction of technical education. A well equipped school of arts and crafts was opened at Lucknow in 1912 in the same year an experimental cotton weaving station was established at Benares. It was preceded and followed by a few smaller weaving schools which to this day are amongst the most successful weaving schools. The introduction of the fly-shuttle loom and the revival of the weaving industry is in no small measure due to the influence of these schools. The other important schools started during the period are the engineering school at Gorakhpur (1910) and the dyeing class, Cawnpore (1914). A Board of Industries was also constituted in 1914. A dépôt was established in 1915 for finding a market for the output of cottage industries and was subsequently transferred to Lucknow where it was attached to the school of arts and crafts under the name of the arts and crafts emporium. As a result chiefly of the measures adopted by the Government the termination of the war left some of the industries in a far more flourishing condition than the outbreak of the war found them. Farrukhabad calico-printing and Moradabad brass are the most noticeable examples. The establishment of foreign trade in artistic goods was due to the activities of the emporium at Lucknow. The war necessitated a re-examination of the position, and led to an investigation of the possibility of assisting local industries to supply commodities previously imported and also to replace German and Austrian manufactures. The report of the Indian Industrial Commission, many of whose recommendations had been anticipated in 1907, provided a powerful stimulus to activity after the war and Government strengthened the staff of the department by the addition of one deputy director in 1919 and an assistant director in 1921. The first minister began to expand the department in various directions. He set up an inquiry into the working, results and prospects of the weaving schools. He established a provincial stores purchase department. He appointed a staff to conduct the industrial survey of districts. He reorganized the Board of Industries and set up new advisory committees for the educational institutions. On the recommendations of a committee which

* This and later references to the Director refer to the late Chaudhri Wajid Husain who died after the chapter was written.

was appointed to consider the suggestion made from time to time regarding the establishment of an industrial bank he created a Board of Loan Commissioners to advise on applications for industrial loans. He remodelled and carried through the 1907 scheme for a technological institute. When the second minister took charge of the department, it was represented to him that development was proceeding too rapidly. He did not wish to check the pace but wanted to make sure that the lines of advance were sound, a point on which the commercial community were far from satisfied. An industrialist moved a resolution in the legislative council asking for the appointment of a committee to examine the working of the department. A committee was therefore appointed in 1924-25 to suggest methods of developing provincial industries, to examine the existing systems of technical education and the purchase of stores and to suggest improvements. It generally approved the lines on which Government's policy was based. The committee proposed no radical change except in reference to stores purchase. Government accepted most of its recommendations and such of them as needed action have been, or are being, carried out.

**Organ-
ization.**

65. The director of industries has one deputy apart from the deputy in charge of stores purchase: another has been sanctioned but not yet appointed. The territorial staff consists of six divisional superintendents—the officers who had conducted the industrial survey of districts. The whole of the head-quarters staff and the territorial staff consists of officers with general administrative experience. The Burn committee emphasized the need for an officer with industrial or commercial experience and Government sanctioned a new post of deputy director but has so far made no appointment to the post. There is no industrial service. The Industrial Commission proposed the establishment of an all-India service but this was never established and the local Government rejected a proposal for a provincial industrial service mainly because the posts are not interchangeable. The technological institute has a principal and a staff of experts—all with a scientific training. There are a number of suitably-staffed schools; the important ones are (1) textile, (2) dyeing and printing, (3) arts and crafts, (4) three technical (mechanical), (5) three leather-working, (6) carpentry, (7) wood-working and (8) central weaving. A number of schools maintained by local and private bodies (including missionary) receive grants-in-aid from the department. The total number of schools comprised in the system is now 112 (32 Government and 80

aided) and covers a wide field. The province has no coal, and its mineral wealth is of little importance. The system of education so far evolved is thus necessarily restricted in scope to the utilization of agricultural and forest products, hides and skins and the improvement or revival of artistic handicrafts for which the province has long been famous.

66. There are a few advisory bodies,—the Board of Industries and the Board of Industrial Loan Commissioners and advisory committee for the educational institutions. The committees attached to the educational institutions (including model weaving schools) advise them on specified categories of new items of expenditure and on curricula, scholarships, etc., but matters of internal discipline are outside their purview. The activities of these committees are confined to matters placed before them for advice. The Development Board is intended to co-ordinate the activities of the industries and other departments. The director himself is a member of numerous other bodies, thus securing contact between the department and many other state-activities.

67. The main developments since 1921 have been:—
(i) A committee presided over by the registrar of cooperative societies conducted an inquiry in 1921 into the working, results and prospects of the weaving schools. Government passed orders on the recommendations of the committee in 1924. Since then the hand-weaving industry has received increased attention. Eight model weaving schools and one combining instruction in weaving with that in cotton printing have been set up, and many local boards and private institutions have been aided with grants.

(ii) The stores purchase department is dealt with in a special memo.

(iii) Staff was engaged, on a temporary basis, for carrying out an industrial survey of the province, and the work was put through in about two years at a cost of Rs. 1,44,000. Reports relating to the actual industrial position and possibilities of all the districts were published. The survey was done by young graduates without any technical training or business experience and the information is not always as full as it might have been. The practical value of the survey was therefore small, though it has in some quarters been regarded as a fairly successful pioneer effort. For reasons of economy the initial staff of ten was in 1923-24 reduced to six. The Burn committee found that this staff served a useful purpose and recommended its permanent retention and the gradual

replacement of the existing personnel by men with technical or commercial experience. Government accepted these proposals and made the staff permanent. A handbook, on the industries of the province is under consideration, and the pre-reform system of publishing bulletins on technical subjects has been continued. Some of the more important bulletins have been translated. Government rejected a proposal made by the director for a departmental journal in the vernacular.

**The Board
of Industries.**

68. The Board of Industries was formed in 1914 but from 1918 it had been split into two sections—industrial and educational. The full Board also met when necessary. It had no administrative powers. Government allotted grants on the director's recommendations. Interest and attendance in the sectional meetings were inadequate. In 1921 the sections were re-amalgamated into a single Board representing the departments of industries, agriculture, public instruction, forests and co-operation, and also the railways, the chambers of commerce and the legislative council. Government also decided to place an annual grant at the disposal of the Board to be spent, subject to prescribed conditions, on industrial improvements. For the first three years the grant was Rs. 15,000 per annum, and for the next two Rs. 25,000 per annum. The Board has been asking that the amount be raised to Rs. 50,000. Last year Government placed an additional Rs. 14,900 at its disposal. The allotment of these grants is regulated by rules laid down by Government. They have usually been fully utilized; lapses have been rare. The grants serve a useful purpose in enabling experimental aided schools to be started. If the school is successful, the department then makes an annual grant. A good many of the grants have, however, produced little tangible result. The Board as reconstituted was authorized to suggest matters for consideration instead of merely being empowered to advise on questions remitted to it. But it has made little use of this power.

**Board of
Industrial
Loan
Commissioners.**

69. The committee appointed to examine the need for an industrial bank in the United Provinces found that the time had not come for such a bank, but recommended that in approved cases Government should undertake to finance small industries on easy terms, and that for this purpose a Board of Industrial Loan Commissioners should be created. The Board, which was established in 1922, consists of the finance secretary to Government as chairman, the registrar of co-operative societies, the mechanical engineer to Government, two representatives of banking and two of the chambers of

commerce, a member of the board of industries and the director of industries. The Board does not administer the budget provision for industrial loans; its functions are strictly advisory. In 1924 Government approved the scheme framed by the director of industries in consultation with the registrar of co-operative societies for giving loans to cottage workers through central co-operative organizations; but little advantage has been taken of the system. The chief complaint is that the rate of interest which the Government charges and the rate which individual members of primary societies have to pay is high and so far only Rs. 40,000 has been borrowed. Except for one big loan of 10 lakhs advanced in 1921 which has been the subject of adverse criticism in the council, Government's industrial lending has been limited. Government's experience of loans for industrial purposes has not been encouraging; serious difficulty has been, and is being, felt in recovering the loans. The small industrialist has, on the other hand, found the rate of interest and other conditions exacting. A "State Aid to Industries" bill was drafted by the department, and after examination by the Burn committee was submitted to Government. It is still under consideration.

70. (i) The scheme for a technological institute was first mooted in 1907, but was rejected by the Secretary of State as **Educational system.** too expensive. The scheme for a pure research institute was revived in 1920 and a principal was appointed. But the objection was raised that teaching should be combined with research and in 1920-21 a representative committee of industrialists, business men and scientists was appointed to settle the question. The committee, by a majority, recommended that the institute should combine teaching with research work on oil, leather and tinctorial chemistry. The institute was opened in temporary premises in 1921-22 with sections on applied chemistry and oil chemistry. The permanent buildings are still under construction. The industrial chemist and his technical laboratory were amalgamated with the institute. Leather technology was added the following year, and sugar in 1926-27. On the recommendation of the Economy committee the idea of adding a tinctorial chemistry section was given up. The research work of the institute has covered a wide field. The basic idea of the institute is to turn out "officers for the industrial army, as technical schools are supplying the rank and file." The director has reported that business firms and departments employing ex-students, mostly outside the United Provinces, have found them extremely satisfactory. A large proportion of the thirty-two students at

present enrolled in the institute are in receipt of stipends. So far not a single candidate from the United Provinces has been admitted as a non-stipendiary student.

(ii) The number of pre-reform government institutions was eleven: it is now thirty-two. Aided institutions numbered seventeen; their present number is eighty. Total enrolment has grown from about 1,500 to about 4,000. The more important additions to the government institutions have been—a textile school, some model weaving schools, a weaving and cloth-printing school, a metal-working school, a third leather-working school, a school for artistic ebony-work, a brassware school and two carpentry schools.

(iii) Some institutions have been reorganized, notably the dyeing and cloth-printing school, the Lucknow school of arts and crafts and the central weaving institute, Benares. The emporium has been entirely separated from the school of arts and crafts and the latter has been placed under the charge of a well-known Indian artist with the object of developing the artistic crafts of the province on the best Indian and oriental models, rather than on the un-Indian and imitative lines previously followed. The system of stipends and scholarships awarded in the department's institutions has been revived with a view to economy.

**Aided
Institutions.**

71. Their system of encouraging the spread of technical education through local bodies and private associations by means of grants-in-aid to suitable institutions was started experimentally and has been greatly extended during the last few years. Many of the aided institutions are managed by local boards. The aided system covers extensive ground. Besides weaving, carpentry, hosiery, tailoring, needle-work, leather-working, tanning, brass-work and general industrial, and occasionally even commercial, training are comprised in this supplemental system. The system is still experimental. It has the advantage of associating and interesting local bodies in elementary technical education in the same way in which they are already interested in primary education. But the standard reached is not as high as in government managed institutions.

**Scholar-
ships.**

72. The system of long-term scholarships for technical training out of India was continued; between 1921 and 1927 nine more were awarded. The proposed subjects of study were glass, dyeing and printing of cloth, oils, leather, sugar and mechanical and electrical engineering. A system of short-term scholarships to enable actual industrialists to improve

their training and methods was initiated in 1926-27. Four in the first (hosiery, leather, sugar and soap) and eight in the current year (electrical engineering, wood-working, leather, poultry, tailoring and optical lense making) have been awarded. Eight more have been sanctioned in the current year.

73. The technical staff of the department has tried to keep in touch with industrial employers with a view to let slip no opportunity of finding suitable employment. Industrialists have been given a large share in the shaping of courses and standards; and as a result a great majority of the trained men, including those trained in the technological institute, have found employment, mostly in European firms, sometimes replacing Europeans. The department has reported that of the thirty-three ex-students of the institute seventeen are earning over Rs. 33,000 a year between them, five have started their own business, some have gone abroad for further training, and only four are unemployed. These results are chiefly due to the attempts which have been made to bring the teaching work into line with actual commercial and industrial conditions. In centres specializing in particular cottage industries (weaving, furniture, etc.), attempts have been made to induce ex-students to form themselves into societies for co-operative manufacture or sale or both.

74. Having given training on improved lines, the department helps the industrialist with its experimental and research work, the results of which are made available through publications, pamphlets and demonstrations, and with the collection, at government expense, of useful information relating to various matters connected with commerce and industry.

75. Demonstrations of improved processes and appliances in connexion with district and other exhibitions have received special attention. The emporium at Lucknow sent wares, mostly artistic, brassware, wood-work, gold and silver thread work, etc., to be exhibited in the British Industries Fairs, and so prepared the ground for participation in the Wembley Exhibition, which cost the province Rs. 1,60,000. The provincial section excited considerable interest, and the value of goods sold on the spot amounted to the substantial sum of 10.31 lakhs. In order to demonstrate and popularize the use of machinery or to show, that an industry when worked with power is a practical proposition, Government have opened small-scale factories, e.g., for making match-splints, spinning wool, etc., Government's experience of pioneer factories on a commercial scale had not been encouraging, and no large-scale-

Finding
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Demonstra-
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factory has been set up since 1917. But many pioneer industrial schemes under private management have been given varying measures of financial assistance. Government's policy is to sell even the small-scale demonstration plants as soon as their practical value is established.

Emporium.

76. A dépôt was established in 1915 for finding a market for the output of cottage industries, but did not prove a success. It was transferred to Lucknow, and under the name of the arts and crafts emporium was attached to the arts school. Sales through the emporium increased greatly in value, but the first principal committed serious financial irregularities, and had to resign. The emporium was then separated from the school and since then attempts to recognize it and revive its former trade have not been attended with great success.

Indianization.

77. The administrative officers of the department have since 1920 all been Indians. The technical staff includes both Europeans and Indians, some of whom belong to this province and some to other provinces. There have from time to time been suggestions that no Europeans and no Indians from other provinces should be employed and that Muhammadans should be given special representation, but none of these suggestions has in fact been acted upon. There has been a liberal infusion of Indian blood into the technical service of the department and the total strength of the European staff, including the staff of the wood-working institute which was taken over by the department in 1923, is only about half of what it was in 1921. Progress in Indianization has not been as rapid as some would like, but for posts in which technical qualifications are essential, it is not in the interests of real progress to allow other considerations whether of race, province or community, to prevail. Service in the department is not, however, popular with Europeans. There are several reasons for this, but the most important are that the pay and general conditions of service are unattractive and there can be no graded service as posts are not interchangeable. There have been no less than three cases in recent years in which European officers have been suspected of irregular practices. Two were allowed to resign. The third died before Government had passed orders on his case.

Selection of personnel.

78. In 1922 Government issued orders that with three exceptions (the posts of the principal, technological institute, deputy director of industries and the assistant director of industries) all appointments in the department to posts carrying a salary of Rs. 200 or more should be filled by Government

on the recommendation of selection committees. In practice all permanent vacancies in the industries department carrying a salary of Rs. 200 or more (including the posts of the principal, technological institute, and the deputy director of industries) were advertised and selection committees were appointed. These posts in all cases were those for which men with technical qualifications were required, but the majority of members of the committees were men without technical or commercial experience. The system has its advantages and was helpful in many cases in obtaining the best men available in the open market; but it also has its drawbacks, the chief of which is that it has given rise to much canvassing. In the opinion of the director it has had a depressing and discouraging effect on both European and Indian employes of the department; more perhaps on the latter than on the former. On two occasions when the posts of heads of institutions were advertised, the Europeans who officiated in those posts, and had done so successfully for periods of nearly two years in each case, did not apply to the selection committee. There is a feeling among officers of the department that if men of the required qualifications are available in the department to fill a particular post that post should not be advertised and that men of approved service in the department should not be brought into competition with outsiders. It is difficult for selection committees to make satisfactory enquiry into the personal integrity of candidates and there have been cases in which such committees recommended men who before or after appointment were found to be men of questionable character.

79. The growth of the departmental budget is shown **Finance.** in the appendix to this chapter. Lack of money has handicapped development, especially because the department initiated a number of costly schemes in 1920, 1921 and 1922. But the Burn committee's findings strengthened its hands, and since its report and the improvement in the financial position of the province Government have adopted a more generous attitude towards the department and allotted more money for its schemes.

80. During the reforms period two inquiry committees **Special** were set up. **committees.**

(1) The weaving schools committee (1921) (i) to inquire into the working, results and prospects of the schools and the central weaving institute, (ii) to see how far co-operative methods could be introduced, and (iii) to consider and advise on a suggestion to have a central research institution, where experimental work could be tried under semi-commercial

conditions. The registrar of co-operative societies was chairman. This committee's report led to the replacing of peripatetic schools by model weaving schools which now number eight. The functions of the central institute at Benares were confined to teaching and research.

(2) The Burn committee presided over by the Senior Member of the Board of Revenue (1924). A member of the council urged the appointment of an inquiry committee for the entire department. The Government accepted the resolution. The committee found that the policy and working of the department were in general proceeding along the right lines and that what was required was a further advance rather than a change of course. The committee's recommendations suggested few new lines of advance, but laid stress on the need for expansion and improvement. Their report enabled the Government to adopt a more generous attitude towards the department. The subsequent expansion has however been practically confined to the school system; no ambitious scheme has been taken up.

The
department
in the
council.

81. (i) *Legislation.*—No specifically industrial legislation has been introduced in the council. The Aerial Ropesways Act has an industrial bearing, but though the act was passed in 1921 no rules have been framed, and it remains ineffective. The "State Aid to Industries" bill as drafted by the department, on the lines of the Madras and the Bihar Acts, and modified by the Board of Industries, and the Burn committee, has not yet been introduced in the council.

(ii) *The budget.*—The predominant note of the budget debates has all along been that the department has been understaffed and needs more money for development. The ambitious schemes inherited or conceived by the first minister met with the council's full support. The technological institute has cost some lakhs, and the present enrolment is only thirty-two, but the council supported Government's decision to add to its original scope by the creation in 1926-27 of a section dealing with the technology of sugar. In 1924 the council cut out a few building schemes, because it preferred to devote such funds as were available to real and substantial development rather than to buildings. Only three cuts have been made in the departments' budget, viz., Rs. 5,900 in 1922-23, Rs. 3,900 in 1926-27 and Rs. 25,000 in 1927-28. The first was in respect of a proposal to add a smiths' class to the Benares weaving institute which at the time was a subject of much criticism in the council. The second concerned a proposal to provide a craftsman for the Lucknow

school of arts and crafts and was opposed chiefly on account of a suspicion that a European would be employed. The third cut concerned a building proposal and the allotment for petty and minor works. The attitude of the council has in fact all along been sympathetic, and it has favoured the grant of more rather than less money.

(iii) *Resolutions.*—Very few resolutions concerning the department were adopted by the council, or withdrawn by the mover on an assurance given by Government. The demand for an industrial school at Mirzapur (August 1921) and for another at Fatehpur (March 1922) were met by the Government's declaration that their policy was gradually to establish a network of such schools so as to have one in almost every district and in addition a superior institution at every divisional headquarters town. The resolution (September 1924) recommending that spinning should be made compulsory in Government and aided girls' schools was a *swarajist* gesture; it had however an industrial bearing. Spinning was introduced as an optional subject in girls' schools but the introduction was only nominal. The proposal to introduce technical education in vernacular and Anglo-vernacular schools (January 1925) concerned two departments; its adoption by the council led to the starting of vocational classes in middle vernacular schools. The rapid expansion of the system of technical schools went some length in meeting the popular demand, born of dissatisfaction with the traditional exclusively literary system of education, for technical training. The various suggestions made in the course of the debate on a motion for the improvement of rural areas are being considered by Government. The most important resolution adopted by the council (April 1924) related to the appointment of an inquiry committee and led to the appointment of the Burn committee. Two important and one subordinate officers of the department had at that time already been proceeded against and the affairs of two institutions were causing anxiety. The mover, however, explained that he did not intend to convey an impression that there was anything seriously wrong with the working of the department, and the committee's findings strengthened the department's hands.

(iv) *Questions.*—Questions of a general nature have, as the director says, "been of some help in remedying a wrong here and supplying a want there." Some difficulty has been experienced owing to the endeavours made by some members of the staff to get the support of non-officials in achieving their objects: but such cases have not been many. The usual

tendency of communalism to exploit the council's power of interpellation was sometimes in evidence. But the department has not been unduly affected by communalism.

**Public
opinion.**

82. Outside the council the general public have taken very little interest in the department's working, except in the matter of appointments and of disciplinary action in certain cases. The landed aristocracy has been indifferent to trade and industry, and even the middle-classes—both Hindu and Muhammadan—have preferred to remain content with a livelihood derived from rents or service and tend to be even disdainful not only of manual labour but also of trade and industry. No United Provinces youth has so far joined the technological institute as a non-stipendiary student, though there is a fair proportion of such students from other provinces. The schools too have failed to attract even a small proportion of the best products of the schools and colleges. Labour is immobile and industrial labour is even scarce. Except in artistic handicrafts an industrial tradition is altogether lacking. The important large-scale industries are, in the main, in European hands. Banking is undeveloped. Mechanical engineers have still to be brought in from outside, mostly from the Bombay presidency. Most of the essential elements of an industrial atmosphere—incentive, finance, engineering skill, tradition and aptitude—are as yet non-existent. In addition to these internal difficulties which hinder the growth of industries, there are also wider factors, such as the prior occupation of the field by other nations, the lack of control over tariffs, and the power of vested interests. The existence of these conditions is at once the strongest justification for the work of the department and the greatest obstacle in the way of its success.

Conclusion.

83. The reforms period has been shown to have been one of considerable activity in the department and it is unquestionable that activity was stimulated by the reformed system of government. The department has come in for much more forcible and effective public criticism and the affairs of certain institutions have, as a result, been subjected to a thorough overhauling. Unsatisfactory officers have had to go. Economies have been effected. New developments have been expedited. The personal interest and influence of ministers has enlisted the support of the council and the public for causes that did not appeal to the popular imagination. In addition certain developments, such as the stores purchase department, the industrial survey staff and the opening of certain new schools, owe their inception to the ministers and the council.

STATISTICAL APPENDIX.

TABLE I.—Growth of budget (in lakhs) from 1919-20 onwards. (a) General (b) that of educational institutions.

	1919-20	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27	1927-28
(a) General	7.22	9.22	9.60	8.99	12.74	10.37	11.62	12.91	14.44
(b) Educational institutions ..	6.72	8.16	6.24	7.01	11.41	9.06	9.12	10.50	..

TABLE II.—Demands and budget provisions and Council cuts.

	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27	1927-28	1928-29
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Department's demands ..	11,32,771	13,35,488	11,43,980	10,92,397	12,55,118	13,50,092	14,87,593	14,43,636
Budget provision ..	10,35,605	10,55,919	13,79,683	10,37,251	11,77,688	12,91,430	14,43,944	13,17,390
Cuts by Council ..	..	5,900	..	..	..	3,900	25,111	..

TABLE III.—Industrial loans.

	1922-23	1923-24	1924-25	1925-26	1926-27	1927-28
(a) Through Board of Industrial Loan Commissioners or on its recommendations—	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
(1) Budget provision	5,00,000	2,00,000	2,00,000	1,00,000	1,00,000	45,000
(2) Board recommended	2,22,000	2,07,000	..	87,000	38,000	45,000
(3) Utilized	1,00,000	..	*1,44,000	87,000	..	20,000
(b) Small loans through the co-operative banks and societies—						
(1) Budget provision .. .. .	..	..	20,000	20,000	20,000	20,000
(2) Utilized .. .. .	..	..	9,000	19,000	7,000	5,000
(c) Direct by Government .. .. .	..	..	..	..	..	..

* The schemes had been approved in the preceding year.

CHAPTER VI.

STORES PURCHASE DEPARTMENT.

**Origin and
objects.**

84. THE stores purchase department was set up in December, 1921, on the lines suggested by the Indian Industrial Commission and the Stores Purchase committee. So far as is known, no other province has got a similar organization. Its main object is to encourage Indian Industries by insisting that wherever possible Government departments purchase articles made in India, and preferably in the United Provinces, in place of imported ones. Another aim is to effect economy by standardization and purchase in bulk. Other, but subsidiary, objects are to eliminate middlemen, to abolish long-standing monopolies or continuing contracts held by certain European firms and to utilize government factories.

Staff.

85. At the outset an officer of the Indian Civil Service was appointed to organize the new department. He was known as the stores purchase officer. Two other government officials with technical qualifications were given special allowances for assisting him in addition to their ordinary duties. An officer of the Indian Service of Engineers succeeded the Indian Civil Service officer and was himself succeeded by an officer of the United Provinces Civil Service. All these officers have been Indians. The stores purchase officer was given an assistant in 1927. These two are the only whole-time officers of the department.

**Early
difficulties.**

86. The new organization at the outset naturally encountered serious difficulties and considerable opposition, not only from the vested industrial and commercial interests, but also from departmental officers. The staff was inadequate and lacked technical knowledge, and the original rules were too sweeping in their centralization and placed an unduly heavy burden on the shoulders of a new and inexperienced department which had yet to find its feet. The consuming departments, which were required to anticipate their requirements so as to enable the stores purchase department to consolidate the provincial indents, were not used to, and naturally disliked, the new system; many officers considered it incompatible with their responsibility for their work, a few were

inclined to regard Indian stores as inferior in quality, and the desire to continue the old system of individual unstandardized purchase was fairly general. Certain difficulties of procedure were also experienced, especially in connexion with the acceptance of the stores. Inspection prior to despatch had previously been quite exceptional; but once the department became the purchasing authority, many objections—some not ungrounded—began to be made mainly based on lack of inspection.

87. The rules were relaxed, and, as the main policy was substitution rather than economy, a system of running contracts which left indenting officers to make the actual purchase gradually grew up from 1922. The department tackled limited portions of the field at a time, thought out the possible lines of substitution, made arrangements as to price, specification and terms of supply, notified them in the gazette and then left and expected the consuming departments to make their purchases direct on the prescribed lines. In certain cases the department invited individual tenders, but even in most of these authorized direct purchase by the consuming officer. This modified system combining the essential features of the new system with the elasticity of the old one eased the situation and is substantially the one in operation at present. No stocks ever were, or are, carried, and no costly staff is employed. Their solution.

88. In 1924 a committee presided over by a member of the Board of Revenue and consisting of five Indian and one European non-officials went into the working of the entire industries department; the stores branch came in for a critical examination. A majority of the committee recommended that purchases of iron, steel, hardware, textile, cement and leather accoutrements which formed the bulk of the purchases should be made through the Indian Stores Department. Government rejected this proposal as it would have resulted in the virtual abolition of the provincial stores department and instead placed the department on a permanent basis. In 1926 new rules were issued to make it clear that Indian articles must be purchased in preference to imported ones, and that all purchases must be made through the department, which was authorized, in suitable cases, to delegate its authority, so as to enable direct purchase to be made. Government also ordered that the reserved departments should make all their purchases through the department, and cancelled the exemption in respect of machinery, etc., till then enjoyed by the The Burn committee.

irrigation department. Municipal and district boards and co-operative societies were authorized to utilize the department, but have not so far taken advantage of this opportunity.

Substitution.

89. The list of successful substitutions is a large one, and important articles now obtained in India are iron rails, iron and steel, disinfectants, coaltar, soap, buttons and badges, paints and varnishes, lanterns, waterproof capes and hoods, cloth for police turbans and uniforms, treasury and other locks, handcuffs, hardware, belting, brushes, absorbent cotton, rubber goods, etc. The process of substitution was seldom an easy one. Early in 1922 a sharp difference of opinion in regard to the supply of cement arose between the irrigation department and the minister in charge of the stores department. It is believed that this was due to the fact that the public works department had used Indian cement before 1921 and had given up its use only because the quality deteriorated. Some officers of the department were very unwilling to resume its use even though the quality had been improved because they felt that there was no guarantee that the quality would remain good. The prejudice against Tata iron and steel, Shalimar coaltar, paints and varnishes, the Bengal Chemical's disinfectants, Cawnpore-made red cloth for police turbans and Madras-made drill for police and other uniforms, Agra-made handcuffs and lanterns, Aligarh-made metal buttons, etc., was successfully overcome.

Economy.

90. The department claims that very considerable economies have resulted from its activities but admits that it is difficult to give accurate figures. The Burn committee pointed out that as the department was at first operating in a falling market, its economies could not be assessed, and that the extent of the department's actual claim had not been established. Not all the economies claimed by the department have been, or are, admitted by the consuming officers, and some cases have occurred where its arrangements were actually not as economical as could have been made by consuming officers. Instances could indeed be given of the intervention of the department causing loss to Government. The following cases are instances of the other kind :—

- (1) In 1922 another department negotiated with a firm for the supply of permanganate of potash, and agreed on a rate of Re. 1-0-6 per lb. It recommended this rate to the department, which refused to accept it, and ultimately got the *same firm* to accept rates of 11 annas 6 pies and 13 annas per lb. The makers' price had not fluc-

tuated in the meanwhile. This transaction yielded a saving of nearly Rs. 6,000.

- (2) An engineer placed an order direct with a Calcutta firm for the supply of Tata rails, wagons, etc. The department already had an arrangement with the Tata Iron and Steel Company and refused to recognize this order. Within about a week the firm agreed to reduce their price by a substantial figure.
- (3) An indenting officer made his own arrangements for the purchase, from a certain firm, of ten miles of track for Rs. 56,000 and an engine for Rs. 16,000. The department purchased these for Rs. 47,000 and Rs. 14,750 respectively.
- (4) The department succeeded in getting the price of a tip-wagon reduced by Rs. 5 even after the indenting officer had placed an order direct. The order was for 150 wagons.
- (5) The department secured a discount of 5 per cent. on a total value of Rs. 2,000 after the consuming officer had approved of the suppliers' quotation. In another similar case a saving of Rs. 2,100 was effected by the department's success in getting an approved quotation reduced by $17\frac{1}{2}$ per cent.
- (6) A number of firms agreed to give handsome discounts in respect of orders by or through the department.
- (7) Specially favourable prices are claimed to have been obtained from the manufacturers of cloth and of cement, the Tata Iron and Steel Company and other firms.

In addition the prices which the department arranged for the supply of yarn, iron and steel goods, rails, coaltar, phenyle, tailoring of uniforms, etc., were substantially below the prices previously paid. Standardization of furniture, *durries*, bundle-cloth, blankets, yarn, uniform and turban cloth, etc., has also been gradually effected with satisfactory financial results. One of the objects constantly kept in view has been the elimination of middlemen and this has to a large extent been effected by means of a centralized system of purchase.

91. The long-standing monopolies enjoyed by certain **Monopolies**. firms were difficult to break down. A few may be specially

mentioned. (1) A firm of chemists enjoyed a virtual monopoly for the supply of permanganate of potash which the department broke down. (2) The supply of tents had become the monopoly of a single firm and the department effected the transfer of the entire business to a jail. The supply of cloth to this jail was fixed up with the mills direct; the middleman was eliminated. Both steps resulted in appreciable savings. (3) The tailoring of police uniforms was also the virtual monopoly of the same firm. A competitive tender largely reduced the price. (4) Another firm had supplied police accoutrements ever since 1903. As soon as an intimation was sent in 1922 that their continuing contract would be terminated, they reduced their prices, which were several years old and therefore well above the market rates. This case gave rise to some difference of opinion between the police department and the minister in charge of the stores department. It was only in 1924-25 that this continuing contract was finally terminated, and the business put on a really competitive basis.

**Government
factories.**

92. Some of these changes enabled Government to make a more full and profitable use of its own factories. The following are instances :—

- (1) The Fatehgarh jail obtained the orders for the supply of tents to all government departments.
- (2) In 1922 the Cawnpore jail took up tailoring. Within five years it has virtually become the Government's civil clothing factory, and has attained a high standard of efficiency.
- (3) The supply of cloth for bundles of files, dusters, *durries*, tape, roping, matting bamboo-chicks, blankets, net bags and bandage cloth was made over to different jails. Certain types of furniture and mail bags are now made by government institutions.
- (4) The Kalyanpur Criminal Tribes Settlement was allotted a share of the tailoring for government departments.

In the first year the industrial community raised the objection that Government were entering into competition with private enterprise. But Government held that a system by which they utilized their own factories for the supply of their own requirements, and that too at rates closely approximating competitive ones, was fully justified. The policy has been steadily pursued with results which have been of great benefit to the jail department.

93. The policy of the department has in addition to encouraging Indian industries generally in some cases given a definite start to new industries, e.g.— **Stimulation of small industries.**

- (1) Dipping rods for excise purposes (Calcutta).
- (2) Handcuffs; set up *de novo* at the Dayalbagh Settlement at Agra.
- (3) Buttons and badges; an Aligarh firm was induced to take this up *de novo*. Also brass tower-bolts and hinges.
- (4) Jaconet cloth. Co-operative Society (Sandila) was persuaded to take up this industry which is new to the province.
- (5) Treasury locks. Their manufacture is for this province a new industry, and the locks cost one-fourth of what imported ones used to cost.

94. The council has remained watchful and sympathetic to the development of the department. This is only natural. **The department in the council.** The *swadeshi* policy of the department makes a strong appeal to national sentiment, while its efforts to effect economy in a period of financial difficulty have not failed to add to its popularity. The council approved the decision of Government to reject the Burn committee's proposal that the department's most important work should be transferred to the Indian Stores Department.

95. Indenting officers now rarely demur to the quality, price, terms of supply or other arrangements made by the department. They have become accustomed to acting through it and no longer resent its activities. At the same time many of them feel that the department is of no particular use to them and that iron and steel, hardware, cement and textile goods could with advantage be purchased through the Indian Stores Department which is much better equipped with officers with technical knowledge than the provincial department. On the other hand Indian opinion in the province is undoubtedly favourable to the department which is expected to support home industries as against the industries of other parts of India as well as against foreign industries. The department is a new one, and, if it has made mistakes, it has also succeeded in establishing the use of many articles made in India in place of articles imported, and in stimulating certain industries. The Governor acting with his Ministers concluded his last review of the work of the department with the following observations:—

“Government are confident that this department has a future of much usefulness before it. Its value in the stimula-

tion of industries is obvious. Even from a narrow commercial point of view it should pay for its running several times over from the savings effected."

Statistical.

Year.	Staff.	Total cost.	Value of business.	Percentage of (3) to (4).
1	2	3	4	5
		Rs.	Rs.	
1921-22 ..	One officer and two clerks.	About Rs. 16,000 (precise figures not available).	Not worked out.	..
1922-23 ..	One officer and two clerks <i>plus</i> two temporary clerks for a few months.	About Rs. 18,000 (Precise figures not available).	10,58,000	..
1923-24 ..	One officer and eight clerks.	22,132	10,92,400	2
1924-25 ..	Ditto ..	26,586	13,27,000	2
1925-26 ..	Ditto ..	27,990	25,78,000	1.08
1926-27 ..	One officer and nine clerks.	29,748	25,82,600	1.15

(2) Departments under the Minister for Education.

CHAPTER VII.

EDUCATION DEPARTMENT.

PART I.

1. *Preliminary.*

96. Sir Harcourt Butler's régime as Lieutenant-Governor of the United Provinces almost coincided with the period which intervened between the memorable announcement of August, 1917, and the inauguration of the reforms. The Government of India's circular of September, 1918, brought out the new situation likely to materialize, especially on the financial side, from the constitutional reforms then under consideration; and called upon the provinces to devise programmes of advance. But Sir Harcourt Butler had already taken action. In April, 1918, he had decided to launch a scheme for the doubling of enrolment in the primary schools. District boards were assured of ample financial help for their programmes. The actual expansion was unprecedented, but fell short of the ideal aimed at. The number of institutions rose by 47 per cent. and enrolment by 21 per cent. during the quinquennium ending March 31, 1922. The progress was uneven. While enrolment rose by 62 per cent. in Meerut, in the adjoining district of Bijnor it fell. The programme was in 1919-20 limited to three years and included a scheme for the education of the Muhammadan and "depressed" communities. The need for additional primary teachers and for more accommodation in the secondary schools was recognized and adequate provision was made. The enactment of a private member's bill in 1919 empowered municipal boards to apply compulsion and to levy a special educational cess for that purpose. But the power to apply compulsion was not utilized by any board till after the reformed system of government came into operation, and no board has yet levied an educational cess. In anglo-vernacular secondary schools science was made a compulsory part of the curriculum in junior classes, the pay of teachers was raised, and a liberal provision was made for scholarships. University reform was initiated. The University of Lucknow was, both as regards its constitution and

The pre-reform position.

the organization of its work, modelled generally on the pattern approved by the Sadler Commission and already adopted in the incorporation of the Dacca University. Scouting too was organized and expanded.

**The first
minister.**

97. Sir Harcourt Butler's educational policy had active public support. His ideal and his ambitious schemes struck popular imagination; his achievement elicited admiration and inspired hope. His first ministers, one of whom controlled primary and the other university and secondary education, shared his ideals and his zeal, and continued his policy. Pandit Jagat Narain initiated action with a view to giving effect to the 1919 legislation permitting the application of compulsion in municipalities. Mr. Chintamani was an enthusiastic advocate of the Sadler Commission's report. He successfully piloted two important acts through the council, one for the separation of intermediate from university education and for the establishment of a board of high school and intermediate education to control secondary (including intermediate) education, the other for the reorganization of the Allahabad University as a residential teaching university. The council's attitude was sympathetic. It demanded all-round expansion, but showed a genuine desire for the maintenance of standards.

1922 to 1927.

98. In December, 1922, Sir William Marris succeeded Sir Harcourt Butler and governed the province for a little over five years. In May, 1923, the first ministers resigned. The two educational portfolios were combined and for a short time held by Raja Parmanand. Rai Rajeshwar Bali was in charge from January, 1924 till June, 1927. There was no change of educational policy during their period of office except in one matter: Mr. Chintamani had opposed the separation of the "external" from the "internal" side of the Allahabad University to form an affiliating university. Rai Rajeshwar Bali was in favour of this policy and carried through the council the Agra University Bill of 1926 which gave effect to it. The District Boards Primary Education Act, 1926, is an important extension of the principle underlying the 1919 Act, but its financial provision is weaker. The district boards have not been given the power—which the municipal boards got under the 1919 Act (but have not exercised)—of levying a special educational cess. On the other hand, the Government policy as declared in the preamble of the Act is wider—"the goal of universal free and compulsory education for boys and girls to be reached by a definite programme of progressive expansion." In 1928 the District Boards Act

of 1922 was amended with the object of enabling educational committees of the boards to be set up under statutory authority. The encouragement of the vernacular languages—both as a study *per se* and as a medium of examination—and the introduction of music as a subject of instruction in anglo-vernacular schools were new movements. Under the minister's auspices all-India music conferences were held in Lucknow in two consecutive years; art exhibitions were attached to each. The establishment of the Marris College of Hindustani Music for the revival of the science and art of music, and of an academy for the promotion of Hindi and Urdu literature represent the results of these new movements. The shortcomings of the earlier compulsory scheme and the stagnation in the infant classes of primary schools were examined and remedies were and are still being devised. Agriculture and manual training were introduced into vernacular middle schools as subjects of educative value tending to create a vocational bias. A course in hygiene and first-aid was introduced in some anglo-vernacular schools and a scheme for its expansion to middle schools is being worked out. A library movement which had been held up for want of funds was set going. The initial enthusiasm of the district boards for lantern lectures has evaporated and half-time schools have proved to be a failure. The system of night schools is, however, being reorganized and extended. An interesting new movement is the organization of co-operative societies for adult education. The general progress was shared by industrial and technical schools. Compulsory physical training was introduced into some universities and colleges, and measures were devised to render it more efficient in schools. Towards the end of 1922 the University Training Corps was instituted, and in September 1924, its strength was raised. The Boy Scouts and the Girl Guides movements continued to grow. A new system of medical inspection was experimentally introduced. The system of foreign study scholarships was revised both in the Education and the Industries departments with a view to secure better returns.

99. The European members of the Indian Educational Service now get higher pay and free passages. But recruitment has been closed since July, 1922, and the service is in gradual dissolution. The formation of a new superior Provincial Educational Service, to be recruited and appointed by the local Government, is under consideration. For the present vacancies are being filled by the creation of temporary posts in the Provincial Educational Service.

**The
Indian
Educational
Service.**

2. *Administration during the reforms period.*

Control. 100. Education is a much divided subject. Primary and secondary education (for Indians) are under the control of the Education Minister. The minister also decides what grants should be given to the Allahabad, Lucknow and Agra Universities and deals in the legislative council with questions relating to these universities. But part of university education (the Benares Hindu and Aligarh Muslim Universities) is central and communications from the universities to the Governor in his capacity as chancellor or visitor are submitted by the education secretary direct to the Governor; the minister does not see them. European education is reserved. Education in the cantonment areas, though a negligible quantity, is outside the scope of the provincial Government. The Thomason Civil Engineering College, Roorkee, is controlled by the Minister for Education and is administered by the Education department, but the Agra medical schools, the agricultural college at Cawnpore and agricultural school at Bulandshahr, and the institutions imparting technical and industrial education are controlled by the ministers in charge of the Medical, Agriculture and Industries departments respectively.

Ministers. 101. Transferred education was up to May, 1923, divided between two ministers : (1) Mr. Chintamani in charge of collegiate and secondary education, and (2) Pandit Jagat Narain in charge of primary education. Since May, 1923, the whole of education has been under the control of one minister, Raja Parmanand, up to December, 1923, and Rai Rajeshwar Bali from January, 1924.

Secretariat. 102. A secretary and the director of public instruction, as deputy secretary *ex officio*, form the Secretariat staff dealing with the Education department. The same secretary is in charge of the Industries and Agriculture departments and deals with questions relating to the Benares and Aligarh Universities. Medical education is dealt with by the secretary in the Medical department. The office of the director of public instruction was amalgamated with the Secretariat in April, 1923.

The department. 103. The department is controlled by the director of public instruction assisted by a deputy and two assistant directors. The inspecting branch has thirteen inspectors and one chief and nine circle inspectresses, ten assistant inspectors, fifty-seven deputy inspectors and one hundred and ninety-five sub-deputy inspectors.

104. The board of high school and intermediate education is a statutory and mainly non-official body for regulating and supervising, subject to the control of the Minister for Education, the system of high school and intermediate education and prescribing courses for English middle classes. At least twenty-four of its thirty-eight members (including the director of public instruction as chairman *ex officio*) must be educationists. Of the remaining fourteen a few more may be, and have always been, educationists. Engineering, agriculture, medicine, industries, the legislative council, the landholding interests and minorities not otherwise adequately represented all have their representatives on the board. By its constitution it is a predominantly educational body. Its powers are exclusively educational—recognition of institutions, prescribing courses of study and conducting examinations. It has no financial powers. Its regulations are subject to the minister's sanction. The secretary is appointed by the minister. The chief committees of the board deal with (i) finance, (ii) recognition, (iii) curriculum, (iv) courses, and (v) examinations. Two of the three representatives of minorities have always been Muhammadans.

The board of high school and intermediate education.

105. (i) The universities are autonomous statutory bodies. The Allahabad, Lucknow, Benares Hindu and Aligarh Muslim Universities are unitary teaching universities; the Agra University is an affiliating university.

Management of educational institutions.

(ii) Government maintain eight intermediate colleges, forty-eight high schools and one anglo-vernacular middle school. The remaining secondary English institutions are maintained by private bodies. A few are missionary institutions.

(iii) Vernacular schools are in the main managed by the local administrative units—district and municipal boards and notified area committees. Some are managed by private agency. Direct Government management of vernacular schools is exceptional. Education in the cantonment areas is a negligible quantity; control is vested in the cantonment authority for the area concerned. Since 1923 the district boards have been entirely non-official with non-official chairmen. The great majority of municipal boards and notified area committees too are non-official and have non-official chairmen. The district boards have the benefit of the lent services of deputy and sub-deputy inspectors, who are however controlled by the divisional inspectors and their assistants. The system of direct administration of vernacular education by the district boards was continued even when they ceased to have officials as chairmen. Education has suffered, especially in quality.

The standard of discipline of the students and more particularly of the teachers has fallen.

**Advisory
bodies.**

106. Government have set up advisory boards and committees composed partly of official and non-official experts and partly of members of the legislative council. There are several such bodies :—

- (1) The board of vernacular education to advise Government on matters connected with vernacular education and referred to it by Government or the director or brought up (with the chairman's permission) by a member. The deputy director is chairman; four other members are nominated officials; five are nominated non-officials (including three representatives of the local boards) and three are elected members of the council.
- (2) The Provincial Text-Book Committee to recommend text-books for vernacular schools, for primary classes in English schools, for libraries and prizes, and for classes (other than primary) in English schools.
- (3) The advisory council of the Thomason Civil Engineering College, Roorkee.

These bodies have not only been helpful to Government—especially to the minister—but have incidentally spread information, stimulated outside interest, and satisfied a demand that non-officials should be associated with the processes which ultimately determine Government's action. But sometimes they only hamper the work of administration, as in the case of an advisory committee for compulsory primary education which had to be abolished.

**Special
committees
and on-
ferences.**

107. In addition to the standing advisory boards, Government have from time to time appointed special committees to investigate particular subjects. A committee examined the finances of the Allahabad and Lucknow Universities, and its recommendations formed the basis of the existing system of Government grants to those bodies. Two committees went into the question of physical training in schools. The problem of education among boys of the Muhammadan and of the educationally backward communities was examined by a special committee (the Wetherill Committee), but owing to sharp divergence of opinion on communal lines Government could give effect only to those of its proposals which related to the backward classes. The findings of the committee which inquired into the working of the board of intermediate and high

school education are summarized in para. 151 on page 119. The labours of a special committee culminated in the constitution of the Agra University. Another committee examined the problems of female education. Finally, the Mackenzie Committee's unanimous report was the basis of the legislation amending the District Boards Act of 1922 with the object of setting up statutory educational committees of the boards. Apart from these committees, conferences were occasionally summoned and addressed by the Education Minister. Besides utilizing the agency of committees and conferences, Government placed three officers on special duty in separate connexions. They surveyed specified fields and submitted reports on which action was (or is being) taken. A recommendation of one of these officers was that the educational system of each district board be made over to a special board under the chairmanship of the district officer. This proposal came in for strong adverse public criticism. But his report revealed grave defects in the administration of vernacular education by the boards, and Government, acting on the unanimous recommendation of the committee presided over by the director, undertook legislation to amend the District Boards Act.

108. Both the minister and the director are members of the council and share the duty of defending Government's policy in the council. Consequently the department is more responsive to public opinion than in pre-reform days. Government's policy and action—especially many of the recent innovations—were appreciably influenced by public opinion, including the views and feelings of minorities. The manner in which Government action often apparently followed a debate, resolution or question in the council is, however, sometimes an unreliable criterion for judging how and by whom the initiative was taken. Where the minister's and the mover's points of view were identical (as was often the case in the first council), a motion or question was often intended only to strengthen the minister's hands. The minister sometimes utilized the council machinery to ascertain its views, or to prepare his ground by stimulating its interest. Not infrequently the line of action intended by the minister was forestalled by others who guessed or were casually informed about it. But ministerial policy was never an indiscriminate surrender to agitation in or out of the council. Even apart from the stand of the first ministers against the non-co-operation programme, there were many cases in which the minister supported the department when its view or action clashed with opinion outside. Not

infrequently Government in reply even to adopted council resolutions refused to take action, or took it only in a limited way, or after mature consideration, or only when financial conditions permitted it. The first resolution about the Agra University, the resolutions about grants-in-aid to Aligarh and Benares, training in the use of fire-arms, withholding of Government aid from institutions excluding Indians, time-scale of pay for the subordinate education service, spinning as a school subject, training in nationalism and social service and in military drill, time-scale of pay for sub-deputy inspectors and for model school teachers furnish relevant illustrations. Apart from the tonic effect of publicity—and “since the reforms, education has been more in the public eye than previously”—the council has reinforced the claims of the department on provincial funds.

**Communal-
ism.**

109. The influence of communalism on educational matters although always present was seldom direct; it usually found expression in council questions, which were frequently charged with the spirit of communalism—often to excess. Special State aid, alleged backwardness of the Muhammadan community, communal representation in the services, grants-in-aid for Muhammadan institutions and stipends for Muhammadan students, the expenditure by district boards on Muhammadan schools and their staff have formed its staple subjects. It rarely raised its head in the debates; the only notable exception was the walk-out of the Muhammadan members when the District Boards Primary Education Bill was under discussion in 1926, declared by the Muhammadan leaders to be a protest against the attitude of the *swarajist* party. It found its way early into the proceedings of the Wetherill Committee which in 1927 examined the problems of the education of boys of the Muhammadan and “depressed” communities. The numerous dissenting notes giving expression to irreconcilable views and proposals on communal lines rendered it impossible for Government to give generally acceptable effect to the committee’s proposals. Enforcement of discipline—whether against the students or the staff—was to some extent rendered difficult; fear of agitation or of accusations of communal bias tended to weaken authority. In the Lucknow University even the social life of students was marred by discord. Serious efforts have, however, been made by the better minds of both communities to cope with the problem. As the result of private consultation among non-official members of the council, the principle of securing the representation of minorities by the single transferable vote was with unanimous approval incorporated in the Mackenzie Committee’s report

and in the legislation which gave effect to its recommendations.

110. Since 1921 fourteen appointments in all have been made to vacancies in the Indian Educational Service (of which the cadre rose from thirty-eight to forty-two) due to casualties in that service or to the transfer of posts from the provincial to the imperial service or to the creation of new posts. Three of these fourteen officers were Europeans and eleven were Indians. Indians were appointed to five out of six posts created by the universities in replacement of similar posts in the Indian Educational Service. In 1920-21 there were thirty-three Europeans and three Indians in the Indian Educational Service; in 1926-27 there were eighteen and twelve respectively. Ten European officers of the Indian Educational Service took advantage of the scheme for retirement on proportionate pension. A noteworthy event was that for the first time in its history the department had an Indian officer (Mr. Kichlu of the Indian Educational Service) as officiating director for five months in 1925. Before 1921 no Indian had been an assistant director. Since 1921 one Indian has been deputy director and two have officiated as assistant directors.

111. Mr. Chintamani introduced the system of making all new appointments to gazetted posts through selection committees. These committees consisted of officials and non-officials, including members of the legislative council. The director considers that these committees were not satisfactory, inasmuch as they were subject to political pressure. Rai Rajeshwar Bali at first appointed similarly constituted committees to select candidates for foreign scholarships, but later appointed a committee of a different kind which consisted of a Judge of the High Court, a prominent public man who was not a member of the legislature, and the director. The director reports that a small committee of this kind is much more satisfactory than the committees previously appointed. His experience thus exactly bears out that of the director of agriculture.

112. In the early period some officers were apprehensive of the new conditions brought about by the Reforms. Retirements on proportionate pension were, relatively to the total cadre of the Indian Educational Service, numerous. The officers who remained have shown a readiness to adjust themselves to the new conditions. With the reduction in the number of European officers there has been a growing appreciation of their value, and racial feeling, aroused in the days of non-co-operation, has almost disappeared. Nonetheless,

issues relating to the services are the most fruitful source of such divergence of opinion as occasionally does occur.

**The
ministers
and the
director.**

113. The post of director has been held since December, 1921, by the same officer, Mr. A. H. Mackenzie of the Indian Educational Service. The period has been one of very great pressure of work. There has been a considerable amount of legislation of first rate importance and a very great deal of reorganization in addition to expansion. Mr. Mackenzie has worked with great energy and throughout has kept in close touch with successive ministers with whom his relations have been uniformly satisfactory, while he has adapted himself to the new conditions by establishing good relations with the legislative council. Differences of opinion between the head of the department and the minister have arisen not infrequently, but they have been faced frankly and openly and have never led to any sort of friction. There has been very little attempt on the part of ministers to interfere in the details of administration, and they have for the most part left the director a free hand in the control of his own proper sphere of administration.

3. *Education in the council.*

**Provin-
cialization.**

114. The Governor-General's sanction is required for the recognition of the equivalence of degrees and of examinations qualifying for admission to Lucknow University. Except as regards the definition of the jurisdiction of a university outside the province in which it is situated, educational legislation is now entirely provincial. The Indian Educational Service is in a process of dissolution and will in course of time be replaced by a provincial service. Finance is now provincialized, and the influence exercised by the Government of India through their financial control has ceased. It is on the financial side that the main structural difference due to provincialization between the pre-reform and the post-reform system of administration lies.

Transfer.

115. The transfer of all, except European education, to a minister or ministers responsible to the legislative council has, however, made a far more substantial—even vital—difference. The council can influence the administration not only by means of resolutions and questions, but can, and does, also exercise real control over policy through (a) legislation and (b) the annual vote on the education budget (including supplementary estimates). The director of public instruction is a member of the council and also a Secretariat officer; and he is often called upon to defend Government's educational policy.

In both capacities he is brought into intimate contact with public opinion. The resulting position was tersely summarized by the present director when on February 2, 1928, he stated in the council that "in the transferred subjects there is no bureaucracy left."

116. There has been no standing committee dealing specifically with education. But the ministers have appointed advisory boards composed partly of experts (official and non-official) and partly of members of the council as representing "practical knowledge rather than political feeling." For particular purposes special *ad hoc* committees have been appointed from time to time. These have reported not to the council but to the local Government. Standing committees.

117. (a) *Composition.*—The first elections were held under the shadow of the non-co-operation agitation. One of the four main objects of that agitation was the boycott of recognized educational institutions. The council was to a large extent left alone by members of the advanced political school, and it consisted mainly of landlords and liberals. In educational matters it was inclined to be even conservative. The first council.

(b) *Legislation.*—This council passed two Acts of first-rate importance, the Intermediate Education Act (II of 1921) and the Allahabad University Act (III of 1921), though not without difficulty. In the select committee on the former many dissents were recorded and the Bill passed only when Government exerted itself to rally the landlords. An unsuccessful attempt was made in the council in 1925 to go back on the policy of the Intermediate Education Act of 1921. Of the other two Acts passed by it, the Canning College Act, VII of 1922, merging that college in, and transferring its property and liabilities to, the University of Lucknow was a consequential measure and aroused no opposition; the other (Act VIII of 1922) amended the Allahabad University Act, 1921, for the purpose of correcting some formal errors.

(c) *Budget debates.*—Numerous motions for cuts from the demand for education were made, and in the course of the debates many phases of the educational system were discussed and criticized. But no cut not accepted by Government was adopted. Most of the motions were withdrawn; a few were negatived. Only three were adopted—all moved by the minister or by the education secretary. The large percentage of motions withdrawn shows the extent to which the council and the ministry enjoyed mutual confidence.

(d) *Resolutions*.—The resolutions adopted by the first council (or withdrawn on an assurance of sympathy from Government) were on subjects which had for long been under discussion in political circles. Members were gratified to find that some proposals which for a long time had the support of public opinion were readily accepted by the reformed Government. The introduction of an age-limit for the matriculation and school leaving certificate examinations, and the discrimination made in favour of the departmental examination for the school leaving certificate and the consequent disability imposed on those who passed the intermediate and matriculation examinations of the university were the first grievances to be voiced. Resolutions on these subjects were adopted by the council and given effect to by Government. The council adopted a resolution recommending the introduction in the Educational Code of a 'conscience clause' making religious teaching in aided institutions voluntary, and Government gave effect to the recommendation. But in 1923 the "conscience clause" was, as the result of a resolution adopted by the council, modified so as to permit aided institutions to provide compulsory religious instruction for boys of their own faith. The introduction with retrospective effect of the time-scales of pay previously sanctioned for the subordinate educational service and the introduction of a time-scale of pay for sub-deputy inspectors of schools and for model school teachers were the subjects of other resolutions adopted by the council. Government have introduced a time-scale for sub-deputy inspectors and approved of one for model school teachers, but have not yet been able to find funds for introducing the latter. The time-scale for the subordinate educational service formed the subject of a further resolution in 1925, which was withdrawn without any assurance from Government, who have not found it possible for financial reasons to give effect to it. The most important resolution adopted by the first council was one recommending the establishment of an affiliating university at Agra. Liberals were divided. The minister opposed it. The council adopted the resolution, but acquiesced in his announcement that he did not propose to act upon it and did not proceed to express want of confidence in him. Certain resolutions were withdrawn on an assurance from Government. A resolution moved on April 5, 1921, led to the appointment of a committee to revise the Educational Code. A resolution on the co-ordination of the vernacular and anglo-vernacular systems of education (January 29, 1923) was referred to the reconstituted board of vernacular education. A resolution (July, 1921) calling upon Government to insist on European schools

admitting Indian students without restriction and to provide facilities of residence for them as a condition precedent to the Government grant-in-aid was moved by a prominent liberal, but was withdrawn. A resolution recommending the establishment of a college to impart instruction in the vernaculars up to the intermediate stage was talked out. Two resolutions were defeated, one recommending that students failing to get through the annual examination should, if they pass a supplementary examination at the end of the vacation, be promoted on the re-opening of the school; and the other that permission should be given to all Government servants to appear for examinations privately from 1924 onwards. A landlord member's resolution recommending the provincialization of the cadre of deputy inspectors was negatived; but the latter part of it recommending a time-scale of pay for sub-deputy inspectors was adopted.

(e) *Questions*.—Questions covered a wide range—almost the whole field of educational activity. The number was about four hundred. The council was specially interested in the pay and prospects of the services, and in the disciplinary control of the department over the staff and of the staff over their pupils. The introduction of a time-scale of pay for teachers in model schools and in Government high and normal schools and for sub-deputy and deputy inspectors and the giving of retrospective effect to the time-scale adopted for teachers in the subordinate educational service were favourite topics. As regards the questions relating to discipline, it should be borne in mind, that the first two years of the first council witnessed the rapid growth of the non-co-operation movement and its culmination in the winter of 1921 and 1922. Disciplinary action, when taken by the department, was supported by the minister, who in one important instance defended it successfully when challenged in the council.

118. (a) *Composition*.—In the second council the *swarajist* party formed a large compact group of about thirty. This party was disciplined and organized. The landlord members though lacking cohesion were in a majority. The liberals had lost heavily at the polls. While the landlords and other parties held the *swarajist* party's extremist tactics (e.g., attempts to throw out whole demands) in check, the *swarajists* could usually count on the support of other parties on issues involving nationalist aspirations. *Swarajist* criticism of Government's educational policy was often of a helpful and constructive character; it emphasized the claims of primary education and the need for accelerating its pace; it tried to

The second council.

secure for the vernaculars a better place in the system, to impart a vocational direction and a nationalistic bias, and introduce physical and even military training.

(b) *Legislation.*—Two pieces of educational legislation were passed. The *swarajist* leader had served on the select committee of the District Boards Primary Education Bill, and it was with the support of his party, that the bill was passed. At the third reading the Muhammadan members walked out in a body, alleging that the Hindu attitude had been unfriendly on a point, which they considered vital, viz., the provision of religious along with secular education. This Act now extends to district boards facilities for the introduction of free compulsory primary education. It was modelled on the 1919 Act for municipalities. The Agra University Act was not a contentious measure. The council had already adopted two resolutions in favour of the measure (February, 1923, and January, 1924) and the bill passed without difficulty. Two experts were nominated to serve on the select committee; one of them took a prominent part in the discussions in the council. The *swarajists* took no part in the discussion of this bill in the council.

(c) *Budget debates.*—In the 1924 budget debates most of the motions for cuts were pressed to a division; only one was withdrawn and one was adopted; one was talked out. But the discussions reflected the altered composition of this council and the cleavage of opinion between the *swarajist* and the landlord ministers. A prominent target of attack was the system of university and higher education; in the discussion the *swarajists* gave expression to their creed, viz., expansion of the base rather than the top. In the following year there was again an attack on the system of higher education, but the tactics began to change; not such a large proportion of motions were pressed to a division as in 1924. There was only one *swarajist* motion for a substantive cut. It related to the Roorkee engineering college. It was the only one which (in an amended form) was adopted. The motions of liberal and independent members were defeated. The budget of 1926 was discussed at greater length and the number of motions for reduction was proportionately larger. At the same time the *swarajist* party's "rapprochement" with and the Muhammadan member's alienation from the Hindu minister for education were beginning. These tendencies culminated in the circumstances in which the District Boards' Primary Education Bill was passed. The Muhammadan members walked out, and the *swarajists* supported Government—"an irony of fate" for the *swarajist*

party, as its leader then declared. As in the first council, however, a large proportion of motions for cuts were withdrawn; the object was to ventilate grievances and these covered a very wide range. In addition to the usual criticism of Government's policy regarding university and higher education, suggestions on various matters were made, for example, grants to the local boards, medical inspection of school children, the students' advisory committee, encouragement of vernacular literature, etc. European education also came in for some criticism. A much smaller proportion of motions than in 1924 and 1925 were pressed to a division. Only one was adopted. It was a token cut and its object was to stress the need for additional financial assistance to the Benares and Aligarh Universities; but it concerned the reserved side of Government rather than the Minister for Education.

(d) *Resolutions*.—The *swarajists* advocated the claims of vernacular and vocational education, the introduction of hand-spinning, patriotic songs, social service, and physical and military training. Resolutions in favour of grants to the Aligarh Muslim University were supported by all parties. In April, 1924, a resolution was adopted, recommending the introduction of free and compulsory primary education; in January, 1925, a similar one was withdrawn. They were the precursors of the 1926 legislation. A sum of Rs. 5,000 was set apart by Government for aiding adult education societies for the maintenance of night schools in pursuance of a resolution adopted for the promotion of adult education in rural and urban areas. In September, 1924, a resolution was adopted for the teaching of spinning in schools; Government have included it as an optional subject in girls' schools. As the result of a resolution in which the council recommended the introduction of vocational education in vernacular and anglo-vernacular schools, Government have authorized district and municipal boards to introduce vocational teaching with the department's approval and have introduced agriculture and manual training as an experimental measure in selected middle vernacular schools. Government have given partial effect to a recommendation for the adoption of Hindi and Urdu as media of examination and instruction for all subjects except English for the high school examination. The vernaculars can now be used as the medium of examination. The adoption of a resolution in December, 1925, preceded the constitution of the Hindustani Academy for the promotion of Hindi and Urdu literature. Certain books approved by the text-book committee have been included in the curricula in pursuance of a resolution for instruction and training in nationalism and social service. Government for financial

reasons took no action on resolutions recommending grants-in-aid to the Benares and Aligarh Universities. A resolution for the alleviation of unemployment among the educated classes is still under consideration. Two resolutions were withdrawn on Government's assurance. One prepared the way for the establishment of the music college. The other led to the abortive committee on primary education among the depressed and backward classes. Of the defeated motions some serve to bring out the council's attitude regarding the need for maintaining standards. One was for the establishment of a technical university at Cawnpore. This proposal had been advocated in Sir Harcourt Butler's time but since his departure the movement had languished. The attempt made by a member from Cawnpore to revive it failed. A *swarajist* member's motion recommending that higher examinations of university standard should be conducted through the medium of the vernaculars, and another advocating compartmental examinations in the universities were defeated. A Muhammadan member's motion for the lowering of the standard of the high school examination and an important motion which aimed at reversing the policy underlying the separation of university from intermediate education were also defeated.

(e) *Questions*.—The most common subjects for questions were: (a) the development of the vernaculars, (b) provincial grants-in-aid to the Benares and Aligarh Universities, (c) music and vocational training, and (d) the working of the universities and other educational self-governing bodies. Communal questions were more prominent in the second than in the first council.

The third council.

119. (a) *Composition*.—The *swarajists* were returned in smaller numbers; but a combination of the liberals with a section of the landlords gave rise to a strong organized nationalist party led by an ex-minister. Though there is no formal alliance between the nationalists and the *swarajists* they have often taken concerted action. There is no substantial difference between their aims and policy.

(b) *Legislation*.—The District Boards (Amendment) Act, 1928, had a solely educational purpose. The boards' handling of their educational system had been found to be defective on the administrative side, and this act enables statutory educational committees to be set up for the administration of vernacular education. The bill was not referred to a select committee. The nature of its reception by the council showed that the members recognized that the boards are too large to discharge administrative functions and that there is need for statutory devolution of powers to smaller bodies.

(e) *Budget debates*.—The budget debates of 1927 reflected the revival of the liberal element in the council. Many of the motions were put in by liberals. Their attitude towards the minister was friendly and helpful. The *swarajists* too were moving nearer the minister. A large proportion of the motions were as in 1926 withdrawn. As in the second council, a motion intended to secure provincial grants-in-aid to the Benares and Aligarh Universities was adopted; Government's position, however, remained the same as before, viz., that these universities were all-India institutions and provincial subjects must have a prior claim on available funds. In 1920 the question of grants to these universities was raised again. The new Finance Member's reply was more sympathetic than that of his predecessor, and the council greeted it with grateful appreciation. Participation in the budget debates on the part of *swarajists* was more general than before. For want of time the range of subjects dealt with was somewhat limited but included university and higher education, girls' education and a few miscellaneous subjects.

(d) *Resolutions*.—Vernacular education was less prominent than in the previous councils. A resolution urging the desirability of amending one of the district boards' educational rules led to the appointment of a committee and to the passing of the District Boards (Amendment) Act, 1928. Another resolution recommending compulsory training in military drill and the use of firearms in educational institutions was adopted. Government have taken action on the first part of the resolution. They have made physical training compulsory in all recognized institutions. They have appointed an expert in physical training at the training college at Allahabad, and have awarded two foreign scholarships for physical training. The scholars will on their return to India be appointed as instructors at the training colleges at Lucknow and Agra. This council passed also a further resolution for a grant to the Benares Hindu University but Government have taken no action on it. A service case gave rise to two resolutions. This Government had promoted an Indian officer to the junior selection grade. They selected this officer, from amongst those who on grounds of merit were within the field of selection, on account of his long service in the department; they reckoned seniority for the purpose of selection by length of total service not length of service in the Indian Educational Service. As the result of an appeal to the Government of India by officers who had been superseded, this Government cancelled their first notification and made a new selection on the principle laid down by the Government of India, viz., on

grounds of merit, seniority being an important factor in cases of equal merit and seniority being reckoned (as already laid down by the Secretary of State) from the date of appointment to the Indian Educational Service. This decision came in for strong criticism in the council which adopted resolutions recommending the cancellation of the local Government's second notification and the publication of all the correspondence in the case. The resolutions were intended as a protest against what the council thought was the Government of India's interference with the discretion of the local Government. This case is an illustration of the difficulty of reconciling the local Government's control over its officers with the Government of India's responsibility for the all-India services. Copies of the proceedings on both resolutions were sent to the Government of India.

(e) *Questions*.—Questions in the first and the second councils averaged about four hundred a year. In the third council they have been even more numerous. They have covered the usual wide range of subjects—pay, etc. of the services, departmental control over the staff, disciplinary action against individuals, appointments, grants to secondary schools, relations between the department and the local bodies, the administration of the universities and other self-governing educational bodies, appointments, etc. Communal questions were more numerous and more prominent than before.

4. *Educational finance.*

Effect of the Reforms.

120. Before the Reforms the Lieutenant-Governor alone was vested with the power of deciding as to the soundness of a scheme and whether and what funds could be spared and should be allotted. The pre-reform council was much less responsive to public opinion than the present council. Now, except on rare occasions, the finance department does not criticize educational demands as being defective or expensive. These demands are pressed more constantly and more forcibly and are much larger than they used to be, or, but for the Reforms, would have been. The transfer of education has given it publicity and roused non-official interest (both in and out of the council). The reaction on departmental outlook and effort has been on the whole both healthy and helpful. It has certainly strengthened the department's claims on provincial revenues.

Retrenchment.

121. Within less than a year money became scarce. The council's resolution for the appointment of the economy committee had already been anticipated by Government. The

field of education, though vast, was a difficult one in which to make retrenchment and the economy committee's recommendations affected it to a comparatively small extent.

122. The council has made no substantial cut against the wishes of Government, and has utilized the budget discussion mainly for the ventilation of grievances. It has also on the whole exercised self-restraint and shown discrimination in recommending proposals involving increased expenditure. Many of its proposals were intrinsically sound and were accepted by Government. Motions for the introduction with retrospective effect of time-scales of pay sanctioned for the subordinate provincial educational service and for the introduction of a time-scale of pay for model school teachers have not been given effect to for reasons already stated. A motion for an increase in the number of agricultural and industrial schools was withdrawn; but Government have independently taken action on the lines recommended by the mover as far as these were practicable. A motion for a time-scale of pay for sub-deputy inspectors was adopted by the council and given effect to by Government. Government accepted motions for the establishment of a university at Agra, a music school, a vernacular translation bureau and for the introduction of physical-training in schools. The only other motions involving increased expenditure were for grants-in-aid to the Benares Hindu and Aligarh Muslim Universities.

The council
and finance.

123. The expansion and reorganization of education have imposed a progressively growing burden on provincial revenues, and, to a smaller extent, on local funds. The income from fees in primary schools has fallen, and in the case of other institutions, its growth is small. Other sources have proved almost inelastic. In university expenditure, income from other sources more or less kept pace for seven years with the provincial contribution. This was largely due to the generous donations which enabled the Lucknow University to be set up. The tendency now, however, is for the universities to rely on assistance from the provincial revenues for further expenditure. Thus the entire increase of expenditure in 1926-27 was financed from provincial revenues. In secondary education the growth has been mainly financed by Government whose share of the increased expenditure from year to year was :—

Growth of
expen-
diture.

	1919-20	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27
(a) Total expenditure (in lakhs).	35.04	41.70	51.17	55.90	60.23	62.80	66.19	70.31
(b) Provincial share (in lakhs).	10.55	16.68	25.86	29.37	31.63	33.58	35.20	37.32

In primary education almost the entire additional expenditure—and sometimes even more—was from year to year contributed by Government. The contributions by Government in 1920 and 1921 when the boards were reaping the advantage of Sir Harcourt Butler's schemes were very generous. Between 1922 and 1927 the growth of expenditure was Rs. 15·48 lakhs while the local Government's share rose by Rs. 13·92 lakhs. The actual figures of (a) total expenditure and (b) the local Government's share are (in lakhs of rupees) :—

	1919-20	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27
(a) Total expenditure.	39·65	47·46	62·65	65·06	68·48	71·33	75·20	78·1
(b) Provincial share.	10·78	25·14	41·98	43·68	48·30	51·15	52·64	55·90

Relation to provincial revenues.

124. The percentage of provincial revenues absorbed by education has steadily (with a temporary but slight setback in 1922-23) risen from 9 in 1920-21 to 15 in 1927-28. Though the fresh demands of the department have been met perhaps more liberally than those of others, many approved educational projects remained unfinanced every year for lack of funds as shown by the following figures :—

	1923-24	1924-25	1925-26	1926-27	1927-28
Demands of the department (in lakhs).	31·19	17·36	14·60	26·79	29·99
Budget provision (in lakhs) ..	5·99	8·86	9·93	22·15	19·88

The decreases in the demands for 1924-25 and 1925-26 were due to informal warning that little money would be available for new expenditure. Conversely the increases in 1926-27 and 1927-28 were due to the prospect of a remission of the provincial contribution. The allotments (in lakhs of rupees) secured in 1924-25, 1925-26, and 1926-27 by (a), the education department (reserved and transferred), (b) all other transferred departments and (c) all the reserved departments were :—

	1924-25	1925-26	1926-27
(a) Education department (reserved and transferred).	10·00	11·00	24·00
(b) All other transferred departments	22·00	12·5	27·75
(c) All the reserved departments ..	25·00	26·00	13·75

It secured 20 per cent., 35 per cent. and 37½ per cent. of total new expenditure, and 29 per cent., 48 per cent. and 47 per cent. of the new expenditure on transferred subjects. But the distance to be covered is great; the obstacles are many and complex. The quality of education imparted in the primary

schools is poor and only a small proportion of their pupils complete the full primary course. Even if infants who do not complete the course be reckoned as scholars, the percentage of scholars to the population of school-going age is still very low. At the 1921 census the literacy percentages were only 6·5 (males) and 0·6 (females). The claims of female and depressed classes education are insistent. From the universities to the primary schools the cry is for more funds. Unfortunately there is evidence of the slackening of effort on the part of aided institutions to do their share. Now that the remission of the provincial contribution has been permanently absorbed, the financing of future expansion promises to be a serious problem.

5. *Quality and standards.*

125. While it is generally admitted that facilities for education have been expanded, there has been criticism of the results. This criticism is usually an assertion that the quality and standard, both of teaching and of administration, have fallen in all branches of education. In 1925 Government took notice of the disparity in the percentage of passes in the degree examinations of the four universities (e.g., in the B. A. examination it varied from 55 to 91·4 per cent.), and sounded a note of warning, that "unless a high standard of intellectual attainment is maintained and quality is not sacrificed to quantity, the universities will have failed of their purpose." Concerted action to prevent the lowering of standards was suggested. The board of high school and intermediate education was accused, both in the press and in the council, of having been unduly lenient in recognizing institutions for its examinations, and of having lowered the standards of study and of examination. The unsatisfactory teaching of science and the undesirability of combining junior and higher classes were other grounds of attack. The disparity between the standards of the three authorities controlling intermediate education (viz., the intermediate board, the Aligarh University intermediate board and the Benares University) was put forward as a proof that deterioration had taken place. The standards of teaching, discipline, and administration in the vernacular schools—especially in the primary schools—were similarly alleged to have deteriorated.

126. Government have no direct influence on the standards of university education; they give liberal grants to the universities, but do not interfere with their academic affairs. The Governor has some control over standards (1) as chancellor of the Lucknow, Allahabad and Agra Universities and (2)

University standards.

Government responsibility.

as visitor of the Benares Hindu University, which is also amenable to the Governor-General in Council's control. Over the Aligarh Muslim University the visiting board and the Governor-General in Council have similar control. The Governor, as chancellor, disallowed the ordinances of the Allahabad University regarding honours courses and of the Lucknow University regarding examinations in oriental languages. He remitted to the Benares Hindu University for re-consideration regulations relating to qualifications for admission to the engineering courses. On an expression by the visiting board of their disapproval of certain ordinances of the Aligarh Muslim University the Governor-General in Council disallowed them. No inspection of or inquiry into any of the five universities has yet been ordered. But the chancellor of the Aligarh Muslim University appointed a commission of inquiry. Its report has recently been laid before the court of the university. Recommendations of a far-reaching character have been made.

Conclusions.

127. Government have little authoritative material on which to base any conclusions. They recognize that the percentage of passes is not a wholly reliable criterion; the previous percentages may have been to some extent the result of undue strictness or of a faulty system of instruction; the new one may perhaps be due to better staff and to the tutorial methods now in force. The only sure test is a comparison between the average graduate of former days and his confrère of to-day. The director of public instruction has had opportunities to judge of them by personal observation, and his view is:—"The standard of the Allahabad (internal side) and Lucknow Universities is as high as that of the old Allahabad University, but distinctions (passes in the first division) are given more freely by these universities than by the old Allahabad University. On the other hand the staff of the universities of Allahabad (internal side), Lucknow and Benares have to their credit much more original work than the staff of the old Allahabad University, and the research work done by the staff has helped to create in these universities an atmosphere of advanced learning, which was absent from the affiliated colleges of the old Allahabad University." Colonel Needham, I.M.S., inspected the Lucknow medical college and found its method of teaching to be satisfactory.

Intermediate education.

128. Owing to the criticism of the working of the board of high school and intermediate education, Government appointed an inquiry committee in 1925 with terms of reference confined to the framework of the 1921 legislation. This committee found the criticism to be exaggerated and to some ex-

tent unjustified. Owing to financial stringency Government were unable to give effect to their original intentions regarding the standard of staff and equipment for the intermediate colleges, or even as regards the type of college to be set up; the intermediate board could not justly be held responsible for this.

129. The position of vernacular education has, however, been different. The disappearance of officials (especially the official chairman) from the boards, faction and intrigue, lack of experience and occasionally even perversity and the "weakness of the board's executive action" arising from the unsuitability of the whole board to act as an administrative body—all these conspired to bring about deterioration of discipline and of administration and, in the case of primary schools, of standards of teaching. Undue waste of public money was soon recognized. Government could not leave matters to right themselves in course of time. The entire field was surveyed. Three officers were in succession placed on special duty and a special committee was appointed to suggest improvements in the administration of vernacular education by the boards. The District Boards (Amendment) Act, 1928, enabling statutory educational committees to be set up to administer the rural boards' educational system was the result of its labours.

130. Action has been, or is being, taken in other directions also. The rising percentages of trained teachers both for secondary and for primary schools is to some extent bound to tell on the quality of vernacular and anglo-vernacular education:—

	1915	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927
Percentage of trained teachers in—											
(1) anglo-vernacular schools,	18	..	22	24	25	29	33	35	36	38	40
(2) vernacular middle schools	85	..	..	89	93	94	97	97	96	96	94
(3) primary schools,	42	45	46	51	56	63	72	77	79	79	78

131. There are positive indications that opinion in favour of maintaining and even of raising standards is growing. A resolution moved in 1926 in the council for compartmental examinations in the universities was defeated. Another for the lowering of the standards of the high school examination met a similar fate. The claims of the vernaculars were disregarded by the council when it thought that they would encroach on quality. The Agra University Act (1926) provides more stringently for the maintenance of standards than the Allahabad Act of 1921. A significant and hopeful indication

of the trend of public opinion was that a committee set up by the conference of chairmen and members of district boards convened by the Minister for Education in 1924 recognized, almost within a year after the non-official district boards were born, the evil effects of the system of detailed administration by a large elected body, and agreed that the control over the teachers should be given to the chairman of the board. Government took action on these lines. The committee which Government appointed in 1927 representing all political parties and with a non-official majority made unanimous recommendations forming the basis of the District Boards Amendment Act, 1928. This Act embodies certain important departures from the principles of the 1922 Act, viz. (1) that the board should be a deliberative body controlling the purse, (2) its educational system should be entrusted to a small committee containing outsiders interested in education, (3) only one individual should be given control over the board's educational staff.

6. *Non-cooperation.*

**Effect of
non-co-
operation
movement.**

132. The movement against Government and recognized institutions was launched in December, 1920; it spread rapidly. In no province did it maintain its maximum force for long. But for the time attendance in schools and colleges declined (though the number of institutions hardly fluctuated) and indiscipline broke out here and there. "National" institutions sprang into existence, ranging from a rival Muhammadan university at Aligarh down to primary schools. Apart from the introduction of the spinning wheel and the encouragement of the vernaculars the curricula followed by the "national" institutions differed very little from those prescribed by the education department. The spirit of administration was however different. Swadeshism, patriotic songs, social service and physical training were emphasized. Discipline was relegated to a secondary place. The movement did not last long. Its direct effect was negligible. A few schools were crippled beyond hope of recovery and the work of many was temporarily discouraged. Some promising careers were ruined and many retarded.

7. *Two special developments.*

**Encourage-
ment of
music.**

133. The difference between the influence of Indian public opinion before and after the Reforms is exemplified by the encouragement which Indian music and the vernacular languages have begun to receive. In the United Provinces this result is largely due to the initiative of Rai Rajeshwar Bali, the

late Minister for Education. Early in its history the board of intermediate and high school education recommended the inclusion of music as a subject of study. In January, 1924, a resolution was moved in the council for the establishment of a music school; the Government expressed sympathy and the resolution was withdrawn. The Minister for Education took up the matter and under his auspices combined art exhibitions and music conferences were held in Lucknow in two successive years—1925 and 1926. In pursuance of a resolution passed by the music conference, the "Music Association of India" was registered and with public and government assistance the Marris College of Hindustani Music was established in July, 1926, at Lucknow. This college provides courses ranging from two to six years. Day classes are held for those who intend to take up music as a career and evening ones for those who wish to cultivate it as an accomplishment. The college also gives periodical concerts. The Music Association collected Rs. 80,000 for the college. Government gave a non-recurring building grant of Rs. 50,000 and an initial recurring annual grant of Rs. 6,000 now raised to Rs. 8,000.

134. A council resolution in December, 1925, recommended the establishment of a vernacular bureau of translation and another in April, 1926, that of an academy for stimulating Hindi and Urdu literature. The academy was inaugurated in March, 1927. It consists of a nominated president, six *ex officio* members and thirty nominated members. Government suggested some of the lines of work but left it free to develop its own. The academy has formulated an ambitious programme of work. In 1927-28 Government made a non-recurring grant of Rs. 25,000 and in the current year a recurring grant of Rs. 50,000 to the academy.

The
Hindustani
Academy

PART II.

1. *Growth of education: its distribution.*

Literacy in
1911 and
1921.

135. The definition of literacy adopted for the census in 1911 and also in 1921 was "the capacity to write a letter to a friend and to read the answer to it." The number of literate persons per thousand of the population in 1911 and 1921 was :—

	Males.	Females.	General.	Hindus.		Muhammadan.	
				Males.	Females.	Males.	Females.
1911 ..	61	5	34	58	3	59	6
1921 ..	65	6	37	67	5	65	7

During the period between April, 1918, when Sir Harcourt Butler's scheme for the expansion of education was inaugurated, and March, 1921, when the census was taken, the growth of education was accelerated but without any appreciable effect on the literacy of the people as a whole. The provincial census superintendent thought the growth of literacy during the decade 1911 to 1921 must be disappointing to those who had devoted their energies to its furtherance; its distribution was, however, general. The advance would certainly have been greater had not the influenza epidemic (in 1918) discriminated so markedly against persons between 20 and 35 years of age. The proportion of literate to total population in 1921 was only 3·7 per cent. and even for males only it was no higher than 6·5 per cent.

Literacy by
age-period.

136. Literacy per thousand by certain age-periods in 1911 and 1921 was :—

			1911	1921
Age-period	0-10	..	8	8
"	"	10-15	58	62
"	"	15-20	83	92

Scholars below the upper primary stage have not been included as they would not, in general, satisfy the census definition of literacy. Owing to the fact that the upper age-limit for compulsory elementary education in these provinces is eleven (against fourteen which is generally in force in western countries) and that a vast majority of children do not complete even the full course of primary education, the age-period 10-15 is the most reliable basis for measuring the growth of education. Figures are not available for an estimate of literacy after 1921.

137. The number of the school-going population (both boys and girls) has gone on increasing almost continuously as the table below shows :—

	1909	1914	1915	1920	1921	1922	1923	1924	1925	1926	1927	
Boys and girls (in lakhs).	6.58	8.19	8.32	10.05	10.47	10.29	10.80	11.5	11.92	12.93	13.49	Rise over 1920 figures : 34 per cent. 40 per cent.
Girls only (in lakhs).	0.49	0.59	0.60	0.58	0.50	0.61	6.63	3.67	0.60	0.76	0.81	

The increase in the period 1921 to 1927 was larger, both absolutely and relatively, than in the corresponding earlier period 1914 to 1920. In the case of girls the period 1914 to 1920 had in fact witnessed not an advance but a slight retrogression. A rise of 34 per cent. in the enrolment of boys within seven years is an encouraging indication that education is increasing in popularity; the rate of progress of girls' education has been equally rapid although the absolute number of girls at school is still miserably small. In the rural areas compulsion has only recently been introduced and only on a limited scale and even in urban areas it is neither universal nor of long standing. The growth of enrolment may fairly be claimed to have been almost entirely voluntary.

138. But the school-going population (especially among girls) is still a microscopic fraction of the total population and even of the population of school-going age—

		1911	1921	1927
Percentage of scholars to total population of each sex.	Boys	.. 2.43	4.00	5.15
	Girls	.. 0.20	0.44	0.57
Percentage of scholars in the primary schools to population of school-going age of each sex.	Boys	.. 1.1	2.3	2.9
	Girls	.. 11.7	21.6	28.00
	Both	.. 6.6	12.4	16.05

Even when allowance is made for the small number who receive education at home or in higher institutions, the figures show that the proportion of children who go without any education and will swell the ranks of the illiterate is still very large. The application of compulsion in both rural and urban areas, the increasing popularity of education and the various attempts that are being made by Government to bring the system of general education into closer touch with rural life will, if funds are available, no doubt succeed in substantially altering the present position.

139. The distribution of literacy is still uneven; especially among the sexes. In 1921 for sixty-five literate males there were only six literate females. And the pace of growth of female education is not much quicker than among boys. The obstacles are the same as in the past—social customs and

scarcity of qualified female teachers. To reach even an approximately equal level of male and female literacy will thus be a long and uphill task. The only reassuring circumstance is that the present rate of growth of female education is slightly higher than in the case of boys. Literacy in the towns is, as might be expected, higher than in rural areas. For every ten male literate persons in the towns the countryside has only three. The disproportion among females is even more glaring. Demand for education—both male and female and in both urban and rural areas—is unmistakably rising, but the pace of its growth in the countryside is still slow. Among the depressed classes education is making progress; they have, however, much lee-way to make up and the handicap under which they suffer—both social and economic—is heavy. Government have been devoting special attention to their educational needs.

Defects in the system.

140. The Report on Indian Constitutional Reforms brought out various defects in the then existing system of education. The attempts made since 1918 and especially since 1921 to bring education into closer touch with the needs of rural life, to prepare boys for careers other than those offered by service under Government or public bodies, to bridge the gulf between vernacular and English education, to reform the systems of secondary and university education and to improve the standard of teaching will be described in the following chapters. The increasing popularity of agricultural, industrial and technical, and other non-literary education has been referred to in the memoranda on the working of the departments of agriculture, industries, etc.

2. *Universities.*

Expansion and reform.

141. Prior to 1919 these provinces had only one provincial university—that of Allahabad. It was set up in 1887 and was reconstituted by the Indian Universities Act of 1904. True to the prevailing type, it was an affiliating university. The growing demand for university education had resulted in a large number of colleges being affiliated to it. They were scattered over a large area including the Central Provinces, Rajputana and Central India, and contributed little to the common life of the university. They were almost strangers to each other, and their main connexion with the university was their need for a university examination and a university degree for their students. In 1913 the Government of India recognized the need for (a) a separate university for each of the leading provinces and (b) the creation of new local teaching

and residential universities. Public opinion, influenced by the examples of Oxford and Cambridge, had been moving in the same direction, and the original proposals for communal universities at Benares and Aligarh with power to affiliate communal colleges all over India was discarded in favour of the unitary teaching and residential type. The Sadler Commission's findings and recommendations (though they primarily had reference to conditions in Bengal) strengthened the Government of India's position, and determined the structure of the Aligarh Muslim University, and in fact of most of the universities set up since 1918 all over the country. When the munificence of the people of Oudh and the energy of Sir Harcourt Butler endowed Oudh with a new university, it was modelled on the lines recommended by the Sadler Commission and followed for Aligarh and Dacca. The first minister for collegiate and secondary education—Mr. C. Y. Chintamany—was an enthusiastic exponent of the same idea and was responsible for carrying through the legislative council the bill to reconstitute Allahabad University on similar lines. Its external side had to be continued in order to "enable it to continue to exercise due control over the quality and character of the teaching" given in its name by colleges associated with it. The Agra University Act relieved it of the external side in 1927. Along with university reform on these lines, another main recommendation of the Sadler Commission was given effect to. Intermediate classes were separated from university work, and a board of high school and intermediate education was set up for the regulation and supervision of such education. These provinces thus have five universities: at Allahabad, Benares, Aligarh, Lucknow, and Agra. Benares and Aligarh are intended to serve respectively the Hindu and the Muhammadan communities of India. They are both all-India institutions and receive grants-in-aid from the Government of India; Aligarh receives in addition the recurring provincial grant which the Muhammadan Anglo-Oriental College used to get from the provincial Government. The teaching universities of Allahabad and Lucknow and the affiliating university of Agra are all provincial institutions.

142. (i) The Benares Hindu and the Aligarh Muslim Finance.
Universities get grants-in-aid from the Government of India of Rs. 1,25,000 per annum and each recently received a non-recurring grant of Rs. 2 lakhs from the same source. The other main sources of income of the Benares Hindu University are interest on investments, income from university estates, grants from Indian states and income from fees, etc. The

provincial Government give the university a recurring grant of Rs. 6,000 for the training college and Rs. 50,000 for the ayurvedic system of medicine. They give also Rs. 37,000 recurring to secondary institutions maintained by the university. The non-recurring expenditure of the university has been heavy, and its recurring expenditure rose from Rs. 7.48 lakhs in 1921-22 to Rs. 9.24 in 1926-27. Its heavy burden of debt is hampering its development. The Aligarh Muslim University has similar sources of income. Its recurring expenditure has risen from Rs. 4.10 to Rs. 6.93 lakhs. The provincial Government give the university annual grants of Rs. 44,400 (the grant formerly given to the Muhammadan Anglo-Oriental College), of Rs. 50,000 for the unani system of medicine and of Rs. 90,000 for the secondary institutions managed by the university. Both these universities are largely indebted to private benefactors.

- (ii) The Lucknow and Allahabad Universities now receive
- (a) block grants fixed for five years and, in addition,
 - (b) the salaries of government officers deputed to their service, or when a government officer is replaced by one appointed by the university the salary of such officer.

The block grants are (1) Lucknow—Rs. 6,30,000, (2) Allahabad—Rs. 4,78,500. The total government grants under (a) and (b) amount to (1) Rs. 7,87,000 for Lucknow (Government provide separately for King George's Medical Hospital) and (2) Rs. 6,94,000 for Allahabad. In their case too there are other minor sources of income as below :—

	<i>Tuition and Interest from other fees.</i>	<i>Interest from endowments.</i>	<i>Statutory subscriptions.</i>
	Rs.	Rs.	Rs.
Lucknow (1925-26)	1,73,328	96,264	52,328
Allahabad (1926-27)	2,25,637	25,592	Nil

Allahabad is thus practically entirely dependent on government grants and on the income from fees for its support. Lucknow is more fortunate. Its endowments are greater and it has an assured annual income from the Canning College subscriptions, which by a provincial Act are still collected by Government and made over to the university. Promises of over Rs. 30 lakhs were made by the Oudh public when the university was founded, and Rs. 24 lakhs have already been collected. A substantial portion of the capital has gone on initial expenditure, but the financial position of the university on

March 3, 1926, was sound. Allahabad received an endowment of Rs. 50,000 from the late Lieutenant-Colonel Kamta Prasad's estate for the chemical analysis of Indian medicinal herbs. Other university endowments have been unimportant. Apart from the initial effort at Lucknow, the provincial universities have not made serious efforts to stimulate the generosity of the pious or the charitable donor, though recently the Allahabad University has issued an appeal for funds.

(iii) The new university of Agra has a small budget. The main sources of income are government grants and examination fees.

143. External control is exercised by—

- (1) the Governor-General in Council and the Governor of the United Provinces in the case of the Benares Hindu University,
- (2) the Governor of the United Provinces (as chancellor) in the case of the Allahabad, Lucknow and Agra Universities, and
- (3) the Governor-General in Council and the visiting board (which includes the Governor, members of the executive council and the ministers of the United Provinces) in the case of the Aligarh Muslim University.

Internal control is exercised by a supreme body on which there is a large representation of laymen. Executive powers are vested in smaller bodies and control over academic matters is vested in boards, predominantly academic in constitution.

144. Post-intermediate enrolment in the universities rose from 3,103 in 1921-22 to 5,892 in 1926-27. In Allahabad it went up from 794 in 1922-23 (its first year) to 1,353 in 1926-27. Lucknow more than doubled its enrolment (from 632 in 1921-22 to 1,419 in 1926-27), and the demand for admission is as great as ever; in the faculty of medicine lack of classroom and laboratory accommodation results in the rejection of more than 50 per cent. of the applications. Enrolment at Benares did not show such a rapid rise; from 913 in 1921-22 it went up to 1,297 in 1926-27. But Aligarh trebled its enrolment from 392 to 1,174 in the period 1922 to 1927. These latter figures, however, include intermediate enrolment.

145. Each university offers courses in arts, science and law. Lucknow has medical and commerce courses, and Allahabad a commerce course. Benares has got degree courses in mining and metallurgy and diploma courses in mechanical and

electrical engineering, and also courses in theology and oriental learning. Aligarh has three new departments, viz., education, geography and Islamic studies.

Women students.

146. The Crosthwaite Girls' College, Aliahabad, has made arrangements for the separate teaching of girls of the B. A. classes by lady teachers; the experiment has proved a success. It is, however, desirable to provide teaching and residential accommodation for these college students separate from that utilized by girls attending the school and intermediate sections. The Isabella Thoburn College for women forms the women's department of the Lucknow University.

University Training Corps.

147. Towards the end of 1922 the University Training Corps was instituted. In September, 1924, the strength of the battalion was raised, and now consists of 22 officers recruited from the teaching staff and 592 other ranks distributed in the following proportions:—Allahabad and Lucknow four platoons each, Benares, Aligarh and Agra two platoons each, Roorkee and Meerut one platoon each. The battalion has been given uniforms, arms, equipment and musketry appliances. An annual camp is held and an annual competition in musketry. The demand for military training is keen, and representations for its expansion have been made.

3. *Secondary education.*

Pre-reform defects.

148. Secondary education in the pre-reform period had already come in for criticism. Certain defects, some serious, had been clearly recognized, e.g.,

- (1) the inclusion of intermediate in university work;
- (2) excessive departmental control;
- (3) undue reliance on government finance and lack of adequate public effort;
- (4) the sharp division between vernacular and anglo-vernacular education;
- (5) undue emphasis on English and undue discouragement of the vernaculars;
- (6) an excessively literary bent tending to create an anti-vocational bias;
- (7) the dominance of formal courses and examinations;
- (8) top-heaviness.

The separation of university from secondary education was initiated by Sir Harcourt Butler, when Lieutenant-Governor, but it fell to the first Minister for Education to carry through the necessary legislation.

149. Consequent upon its reorganization as a teaching and residential unitary university, the Allahabad University ceased to concern itself with intermediate education; the supervision of intermediate and English secondary education was made the concern of a board of high school and intermediate education which was set up by a provincial Act in April, 1922. All educational activities in the province, including the department of public instruction, and also the legislative council, the two chambers of commerce, the two chief landholders' associations, and engineering, agricultural, industrial and medical interests are represented on the board. The minister nominates a woman to represent women's education. The board can co-opt up to three experts. In all it has thirty-six members, mostly non-officials. The board has been charged with the duty of recognizing institutions, prescribing courses of study (including those for English middle schools) and conducting examinations. It has established its own intermediate and high school examinations in place of the intermediate and the matriculation examinations of the Allahabad University and of the departmental examination for the school leaving certificate. The establishment of a university at Nagpur and of a similar board for the Central Provinces now meet the needs of that province. But as the old Allahabad University had jurisdiction over Rajputana, Central India and Ajmere-Merwara, the United Provinces board was, as a temporary measure, empowered to recognize institutions in those areas and to admit their students to its examinations. Including thirteen newly recognized by the board, the number of such outside institutions (including intermediate ones) is now seventy-three. The numbers of recognized institutions in the United Provinces are thirty-two for the intermediate, one hundred and ninety for the high school, nine for the commercial diploma and two for the agricultural diploma examinations. The statement below shows the increase in the number of candidates :—

		<i>High school.</i>	<i>Intermediate.</i>	<i>Commerce.</i>	<i>Agriculture</i> ⁵
1924	.. ..	6,772 (both S. L. C. and Matric.)	1,708	198	..
1925	.. ..	6,262	2,028	249	..
1926	.. ..	6,320	2,472	243	2
1927	.. ..	7,431	2,898	294	34

External (including foreign) authorities have in general accorded to these examinations the same recognition as to the corresponding examinations of the Allahabad University.

Important changes.

150. Private candidates can now take these examinations without restriction as to occupation or profession. Hindi and Urdu have been recognized as optional media of examination in certain subjects for the high school certificate and also as full optional subjects for the intermediate examinations. Economics, civics and drawing have been added as optional subjects for all, and physiology, hygiene and child study as additional optional subjects for female candidates for the intermediate examination. Spinning and weaving now form part of the syllabus of domestic science for the high school examination. Owing to practical difficulties the board abolished the practical examination in science and the oral test in English which distinguished the old school leaving certificate examination from the matriculation examination, but safeguards have been devised to ensure that science candidates go through a practical course of laboratory work.

Committee on the working of the Intermediate board.

151. The working of the board and of the intermediate colleges came in for considerable criticism. The main charges were (1) undue leniency in sanctioning applications for the recognition of institutions, and (2) lowering of standards both of (a) study and (b) of examination. Government appointed a representative committee under the chairmanship of the director in 1925 to suggest reforms within the framework of the Intermediate Education Act of 1921. The committee found (1) that the board had maintained a satisfactory standard for the recognition of high schools, and although the standard for the recognition of intermediate colleges was during the first two years relaxed in order to meet the pressure of enrolment owing to the closing down of certain classes, the standard insisted upon in the subsequent period was satisfactory, and (2) that (a) the standard of courses of study had not deteriorated and (b) that except in some subjects for the high school examination and in English for the intermediate examination, there had been no appreciable change in the standard of examination. Nothing was found in the board's regulations or proceedings to indicate that the members desired to lower standards. Even such slight deterioration as had been noticed had been due to the necessity of appointing some inexperienced examiners to cope with the large increase in the number of examinees. The report has been published and as a preliminary to its consideration by Government opinions have been invited.

Intermediate colleges

152. Intermediate colleges teach up to the intermediate standard. They are of different types:—

- (a) Several of the larger and more efficient high schools (both government and aided) opened two addi-

tional classes, XI and XII, with additional staff, equipment and accommodation, and became intermediate colleges with ten classes from III to XII; in some of these the four junior classes have since been separated and formed into separate junior schools.

- (b) A few of the former degree colleges affiliated to the Allahabad University had separate but associated high schools. They separated, or made separate provision for, their post-intermediate work, and by taking over classes IX and X from their associated high schools became intermediate colleges with classes from IX to XII; their high schools were reduced to the status of middle schools.
- (c) Other degree colleges continued their intermediate classes as before in the same institution and with the same management and staff.

The original scheme for a complete severance between university classes and intermediate classes has thus not so far been carried out. It is generally admitted that the co-existence in degree colleges of both sets of classes will have to continue for some time, but experience points to institutions comprising the six or four highest classes as the most desirable and promising type of intermediate college.

153. Excluding institutions for European and female education, there now are twenty-seven intermediate colleges (eight government, seventeen aided and two unaided); in 1921-22 their number was fourteen and in 1922-23, twenty-three. Enrolment in intermediate classes was 2,514 in 1922-23 and rose to 4,107 in 1924-25 and to 4,235 in 1926-27. Excluding the expenditure on the intermediate classes in degree colleges, the total expenditure has gone up from Rs. 8.42 lakhs in 1922-23 to Rs. 14.01 lakhs in 1926-27. The contribution from provincial funds rose from Rs. 4.76 in 1922-23 to Rs. 7.01 lakhs in 1926-27. Income from fees nearly doubled and from other sources increased by 85 per cent.

Number of institutions, enrolment and expenditure.

ENGLISH HIGH AND MIDDLE SCHOOLS.

(Number, enrolment and expenditure.)

	Number.		Enrolment.		Expenditure (in lakhs),					
	High.	Middle.	High.	Middle.	Provincial.	Local boards.	Fees.	Other sources.	Total.	Percentage of total expenditure met by Govern-ment.
1922-23 ..	*154	63	45,812	6,129	17.76	0.72	11.06	5.27	34.83	51
1926-27 ..	*153	83	57,433	10,245	21.78	0.85	13.68	5.31	41.66	52

* Forty-eight of these are government high schools.

These figures exhibit continuous, though not rapid, growth, especially in enrolment. The share of total expenditure borne by provincial revenues has not fluctuated much.

Management of secondary schools.

154. There is—as there has always been—great diversity in the interest shown by managing committees in the administration of their schools, but the dominant tendency is to start an institution on a slender financial foundation and then to rely mainly on income from fees and on government grants. Sound administration is more often due to an energetic secretary than to the committee's sustained corporate effort, though not a few schools can boast of committees fully alive to their responsibilities and lacking neither in zeal nor in discretion, whose schools are carefully and wisely managed.

Buildings and equipment of colleges and schools.

155. Very few high schools are now without their own buildings. In many, however, enrolment has so increased that accommodation is cramped and extension is necessary. Some government high school buildings also need to be replaced. The standard of equipment is fair and is rising. Government have annually given grants for this purpose.

Teachers.

156. While staff has increased from 3,462 to 4,653 teachers, the proportion of trained staff has steadily risen both

in government and in non-government institutions as the following figures show:—

	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27
Total staff ..	3,462	4,018	4,104	4,239	4,295	4,439	4,653
Percentage of trained staff in—							
Government institutions.	58	62	67	68	70	70	71
Non-government institutions.	10	15	16	19	22	25	28
Total institutions	25	29	33	35	36	38	40

Under the latest rules, no untrained teachers can now be permanently appointed as an ordinary class master in high and middle schools, and financial assistance is given to schools to enable them to secure trained teachers. The principals of a few government intermediate colleges are in the Indian Educational Service. The heads of the rest and of the government high schools are in the U. P. Educational Service. Most teachers are in the subordinate service. The rise of prices during and after the war had already neutralized the substantial benefit of the 1914 scheme for the revision of salaries. In April, 1921, a time-scale of pay was introduced; it made an unanticipated and generous provision for the salaries of the teaching profession, and, though some senior men did not receive as much advantage from the revision as the junior men, the profession as a whole is said to be satisfied. The head masters were promoted to the Provincial Educational Service. In spite of the recurring lump sum grant of Rs. 4.23 lakhs made by Government from January 1, 1921, towards the improvement of the conditions of service of assistant masters in private schools, the teachers in such schools are, with few exceptions, worse off than in government institutions. The initial salaries are sometimes—though not usually—the same, but promotion is less rapid and tenure less secure. Notwithstanding this great disparity between the conditions of service, several aided institutions compare very favourably, both in numbers and in the quality of work as shown by results, with the largest and the best run government schools.

157. The relations between the management and the staff in aided institutions are gradually being established on an improved basis. Grievances—real or fancied—are now less frequently voiced. The practice previously adopted by some impecunious schools of giving notice to teachers so as to save the cost of their salary during the vacations has practically disappeared, but senior men are occasionally discharged in order

Teachers
and
manage-
ment.

to effect a saving by replacing them by junior men. The department has now drawn up a form of agreement, which has to be executed by both teachers and managers as a condition of the receipt of a government grant.

Quality of teaching.

158. The introduction of the time-scale has brought about great improvement in the quality of candidates admitted to training colleges, and their competition for government service is keen. Government secure the pick of such trained men, and their work, even though not as good as might be wished, is better than before. A system which almost automatically secures annual promotion necessarily involves the risk of reduced incentive to zealous work; but the general effect on the quality of work has been beneficial. The practice of private tuition unfortunately has not disappeared to the extent expected. The standard of work in non-government institutions—with some notable exceptions—is naturally lower. They have far fewer trained men, and their lower salaries, insecurity of tenure and other unfavourable conditions of work are bound to tell both on initial recruitment and on subsequent work.

Medium of instruction.

159. In 1916 the vernacular became the sole medium of instruction for all classes up to the middle stage of anglo-vernacular schools. In some high schools the vernacular is used as the medium even beyond the middle stage. Candidates for the high school examination are permitted to answer in the vernacular in certain subjects. The fear of considerable deterioration in English and the hope of great improvement in other subjects have both failed to materialize. The change in the actual medium of instruction has in reality been more complete in theory than in fact. Numerous difficulties have been experienced especially from the co-existence of the two forms of the vernacular, viz., Hindi and Urdu.

Tuitional results.

160. The present standard of instruction in the intermediate classes compares favourably with the average pre-reform standard, and the results in the intermediate examination obtained by many new colleges equal, and in some cases surpass, those of the classes maintained in the "associated" colleges of the Allahabad University. In the high schools, the standard of English is generally reported to have deteriorated, but that of mathematics to have improved. No improvement has been reported in the teaching of the vernaculars. The popularity of science is great and is increasing. In many schools it is compulsory up to the middle stage and is taught by qualified men. Nature-study has been introduced and is popular with the junior classes; the nature-study garden is a feature

of many schools. The new syllabus in drawing for the highest classes has been appreciated, but in the junior classes it is formal and uninteresting. Owing to its practical utility, commerce is gaining in favour; type-writing is preferred to book-keeping. Manual training appeals to boys and is valuable in itself. But in the higher classes it is not popular as it leads nowhere. Music was recognized as an optional subject in the curriculum of high schools. Three institutions have music classes. The Marris College of Hindustani Music provides courses of instruction in music and will grant diplomas. A combined junior course in hygiene, sanitation and first-aid was introduced in 1922-23 in sixteen anglo-vernacular and normal schools, and proved a success; the experiment is spreading to vernacular middle schools.

161. The non-cooperation movement impaired discipline; **Discipline.** in some places the effects still persist. But, generally speaking, discipline is now satisfactory. External influences, however, react on it more than they used to. Communalism comes to the surface now and then. In the aided institutions the staff's authority is occasionally undermined by outside interference; intrigue is unhappily not rare. Parental interest in education is neither active nor sustained; the one constant anxiety is to secure "promotions" and this sometimes takes undesirable forms.

162. The hostel population is increasing and the demand **Hostels.** for accommodation is keen. Most high schools have hostels; the exceptions are generally in the large towns where day scholars are numerous. Some hostels are communal, but departmental officers do not consider them so undesirable as communal schools.

163. Degree colleges with intermediate classes and col- **Libraries.** leges specializing in intermediate education are better of than those which have developed from high schools. Libraries where they do exist are on the whole well utilized, though the use of libraries in intermediate classes is perhaps less in evidence than before.

164. For secondary education (anglo-vernacular and ver- **Secondary education in**
nacular). cantonments are usually served by extra-canton- **cantonment.**
ment institutions, managed by Government or local boards or private agency. The cantonment authority of Meerut manages a high school and that of Bareilly an anglo-vernacular middle school, while that of Ranikhet makes a grant-in-aid to the local mission middle anglo-vernacular school.

Vernacular
middle
education.

165. The growth of vernacular middle education is shown in the following statement:—

	Number of schools.				Enrol- ment.	Number of teachers.	Total expendi- ture.
	Govern- ment.	Local boards.	Aided.	Unaided.			
1921-22	7	530	14	5	43,074	2,915	Rs. 12.00 lakhs
1926-27	8	595	12	11	60,453	3,181	14.63 „

Total expenditure has risen, but the average annual cost per boy has fallen from Rs. 27·9 in 1921-22 to 24·2 in 1926-27. The provincial share has risen from 51·7 per cent. to 58·4 per cent. and fees income from 10·6 per cent. to 14 per cent. The share borne by local funds has fallen from 36·6 per cent. in 1921-22 to 26·2 per cent. The vernacular middle schools are much worse off in the matter of buildings than anglo-vernacular schools; some have no permanent habitation at all. Hostel accommodation is inadequate and inferior. The boards building policy has not been business-like.

Tuition.

166. Government appointed a committee to recast the course of vernacular education so as to adapt it to the needs of rural life. A revised curriculum has been issued. The vernacular secondary school is much less liable than the primary school to interference by individual members of the local boards; there is thus more continuity and efficiency in the tuitional work. The average teacher compares favourably with the average teacher in the anglo-vernacular schools although the latter is better paid. Dull routine almost confined to the prescribed text books is common and the strain of examinations is intense. All divisions report that a satisfactory standard of discipline was maintained.

Examina-
tions.

167. The number of candidates for the vernacular examinations has been steadily increasing year by year; it was 12,929 in 1922 and 17,645 in 1927. With girls the popularity of the vernacular final examination is increasing; the number of candidates has risen from one in many consecutive years to nine in 1926 and eleven in 1927.

English
lasses.

168. In 1918 the system was adopted of giving grants-in-aid to district boards for opening English classes in vernacular middle schools. The demand for such classes is keen. There were seven schools with such classes in 1921-22; in 1926-27 there were seventy-three. The number of candidates

offering English rose from eighty-one in 1923 to five hundred and fifty-three in 1927. In 1925-26 the system of grant-in-aid for English classes was simplified and extended; further expansion is going on.

169. A committee appointed in 1922 considered the question of vernacular agricultural middle schools. It recommended the introduction of agriculture as a compulsory subject in selected vernacular middle schools. Ten district boards adopted the scheme and the teachers deputed by them finished their course in the Bulandshahr agricultural school in September, 1925. On their return, nine district boards opened agricultural classes. The scheme is being expanded, but it is too early to pronounce judgment on its success. It has been designed not to impart vocational training but only to create a vocational bias. In 1925 Government decided to introduce woodwork on account of its educative value and vocational bias. District board teachers were deputed for training and on their return fifteen manual training classes were started in 1926. The scheme is being expanded; local boards are keen on it. It is too early yet to pass judgment.

Vocational training.

170. A government scheme of 1912 for the supply of books to form the nucleus of small libraries for selected primary schools proved abortive. In 1921 local boards were invited to embark on a regular programme for vernacular school libraries. Government promised to find half the cost, but could not finance the scheme. In 1925-26 a beginning was made; and in 1926-27 the scheme was extended. It is too early yet to judge, but there is fair hope of success.

Libraries.

4. Primary education.

171. The slow pace of growth of vernacular education especially primary, was in the past a favourite target for non-official attack. Even the good faith of government policy was often questioned. But the 1917 declaration of policy put fresh life into educational activity, and in September, 1918, the Government of India drew the attention of the provinces to their responsibility for the expansion and reform of their educational systems. This Government had already in April, 1918, decided to launch a scheme of expansion on a voluntary basis. The actual expansion was unprecedented, but fell short of even the limited ideal aimed at. The ineffective and even uneconomical character of the attempt to expand primary education on the voluntary basis did not take long to demonstrate itself. Legislation for compulsion in education was a logical development, and in June, 1919, a private member

Introduction of compulsory education.

introduced a compulsory education bill. It became law, but was confined to municipalities. It permitted municipal boards to take a census and to apply compulsion to boys between six and eleven years of age. The department worked out a scheme to secure the compulsory enrolment of 60 per cent. in the first year, 72 per cent. in the second year and 80 per cent. in the third year. Twenty per cent. was left out as a margin of allowance for exemptions, enrolment in English schools, and similar contingencies. Government undertook to grant (a) two-thirds of the additional cost involved, including the loss due to remission of fees, and (b) the total additional cost of raising the pay of teachers to the minimum prescribed level. The total government contribution was, however, not to exceed 60 per cent. of the total cost of primary education in the municipality.

Results

172. The boards were in no hurry to apply compulsion. The municipal board of Cawnpore led the way in 1922. Next year eleven boards resolved to follow suit. By the end of the year 1926-27 twelve more boards had applied the Act. Of the twenty-three municipalities where compulsion was in operation in 1926-27, thirteen had it in force only in selected wards. The progress made shows great variation. The scheme has not been unsuccessful. But, owing to a variety of reasons—general apathy, lack of funds, lack of experience, absence of suitable staff, unsystematic procedure, evaporation of initial enthusiasm, failure to co-ordinate the duties of the superintendent of education and the attendance officer, but above all, the disinclination of elected bodies to enforce compulsion—the degree of success, which after making due allowance for special cases, was expected and was possible, was not attained. But there are exceptions. The boards in the Agra division have done justice to the scheme, and the number of boys in attendance in their schools is (for the whole division) in excess of the estimate. In 1926 Government placed an officer on special duty to investigate the working of this scheme. His report is under consideration.

Continuation of voluntary system in rural areas.

173. In legislation the towns got a start over the countryside, though not till 1922 was any use made of it. Sir Harcourt Butler's scheme for expansion was applicable only to rural areas. It failed to yield the desired result. The rate of expansion proved to be very uneven. While Meerut raised its enrolment by 62 per cent. and Hardoi by 50 per cent. and some boards were able to go even beyond their programmes, eighteen districts increased enrolment by between 11 and 20 per cent., twelve districts by between 1 and 10 per

cent. and in five districts enrolment actually declined. The boards as a whole did not show great enthusiasm in pushing the scheme. The initial programme was limited to three years and came to an end in 1921-22. Meanwhile certain difficulties of procedure, resulting in uncertainty as to the grants which the boards were to expect and their consequent inability to utilize the grants, when made, had come to light. Proposals for a three years' contract were worked out in 1923-24, and a modified scheme was introduced from April 1, 1924. Under this scheme Government prescribe for each board the minimum amount which must be provided for (a) vernacular middle schools, (b) ordinary primary schools including training classes, (c) Islamia schools and maktabas, (d) depressed classes, and (e) female education. Government gave a lump general grant towards the total expenditure under these heads. Unutilized budget provision was to be credited to an education fund under each head. These lump grants did not include non-recurring grants, nor special recurring grants for English classes, manual training and middle school libraries. On the expiry of this contract on March 31, 1927, Government continued the general grant for 1927-28 on the same conditions. This system has worked satisfactorily, but a tendency has been noticed in some boards to go in for lavish expenditure on heads favoured by influential members. During the three years of the original contract Government's contribution was Rs. 65.42 lakhs towards a total minimum expenditure by the boards of Rs. 95.86; in 1927-28 it was nearly Rs. 69 lakhs against the total prescribed minimum of Rs. 101.78.

174. In 1924 an officer was placed on special duty to examine the possibility of (1) securing better results from the expenditure incurred, and (2) introducing compulsory primary education in the rural areas. In 1926 Government published their conclusion on his report. The U. P. District Boards Primary Education Act, 1926, extended to district boards powers to introduce compulsory education in the rural areas. An officer of the Indian Educational Service was placed on special duty to make recommendations for improving the curriculum of rural schools and assisting the boards to apply the Act. He drew attention to the main problems of rural education and some of his recommendations were examined by a committee presided over by the director of public instruction. While endorsing some of his proposals the committee rejected his scheme for the institution of school boards (independent of the district boards) presided over by district officers, but recommended that statutory education committees

Extension
of compul-
sion to rural
areas.

of the boards (with power to co-opt outsiders interested in education) should be set up for administering the boards' educational system, the boards themselves being confined to broad questions of policy and finance. These recommendations formed the basis of the recently passed District Boards (Amendment) Act. Government had already decided to bear two-thirds (and even more in the case of boards already receiving from Government less than two-thirds of their total educational expenditure) of the extra recurring cost of compulsory schemes.

Free education.

175. The district boards educational rules prescribed maximum and minimum rates of fees. The poor enjoy exemptions, and fees are not levied from girls or in the special schools for the depressed classes, or in night or half-time schools. Some district boards applied for permission to abolish fees; some abolished them without reference or sanction. But divisional reports show that the only result of such abolition has been the loss of income. Some of the boards have retraced their steps. Experience has justified the conclusions that a low fee if coupled with generous exemptions cannot be a deterrent, and that abolition of fees unaccompanied by compulsion only results in an unnecessary loss of income.

Primary education in cantonments.

176. The system in vogue in cantonments varies. Some cantonment authorities maintain their own schools; some give grants-in-aid to private institutions or to local boards; in some the cantonment children attend schools outside the cantonment limits. In primary education the cantonments are lagging behind the adjoining municipal and even rural areas.

Expansion.

177. The following statement shows the number of primary schools, their enrolment and expenditure :—

	1919-20	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27
Number of institutions.	13,597	15,094	15,491	15,903	16,507	17,345	18,220	18,817
Enrolment	7,59,672	8,05,150	7,87,507	8,32,088	8,55,807	9,21,494	9,98,592	10,38,406
Expenditure in lakhs of rupees.	39.65	47.46	62.65	65.05	68.47	71.33	75.20	78.13
Provincial share	10.78	25.14	41.98	43.68	48.29	51.15	52.64	55.80

Ninety per cent. of the increased cost of education has been met from provincial revenues; the share borne by district boards has been almost stationary. The effect of the non-cooperation movement is noticeable on the figures of enrolment in 1921-22; enrolment went down by 18,000 though the number of schools and the expenditure incurred were both larger than in the preceding years. In 1921-22 the average

cost per pupil was Rs. 8; in 1926-27 it was Rs. 7.5. The cost is not, however, uniform; it varies from Rs. 11 in government schools to Rs. 5 in aided ones. Practical difficulties lie in the path of expansion. The boards, specially rural boards, have comparatively inelastic finances, and Government do not consider it a sound principle to finance education entirely from provincial revenues. The enforcement of compulsion when the school is at some distance from the pupil's home and the greater vogue and value of child labour in rural life, especially among the backward classes, add to the host of obstacles which the working of compulsion in municipalities has already brought to light.

178. The standard of staffing is one teacher for every 30 pupils in average attendance. The number of teachers has risen from 29,189 in 1921-22 to 35,324 in 1926-27. The percentage of trained men rose from 57 in 1921-22 to 69.2 in 1924-25 and in the subsequent years fell to 67.5 and then to 66.5. The fall was due to the reduction of the number of training classes maintained by the boards. The problem of providing adequate facilities for training is under consideration. **Teachers.**

179. The position—both as regards construction and repairs—is more unsatisfactory now than at the beginning of the Reforms period. Construction has lagged behind expansion and many schools have to be held in the open. Building programmes have not always been business-like nor the standard attained in practice satisfactory. Action has often been dilatory and has resulted in funds remaining unutilized. Increasing difficulty is now being felt in borrowing or renting suitable accommodation. Equipment is also poor; in some schools floor-matting is insufficient and the pupils sit on the bare floor. Apparatus is deficient, badly kept and sometimes unsuitable. **Buildings and equipment.**

180. The standard of tuition is poor, especially in the infant classes. Some divisions have reported slight improvement, others general deterioration. "There is no life in the lessons, and no teacher shows any initiative," is a sweeping generalization, but there is no doubt that dull mechanical grind is common and accounts for the wastage that goes on. The quality of the teaching agency is poor and service conditions are in general depressing. Many new appointments made by the boards have been unsuitable; there is no longer the same incentive to self-improvement as special qualifications do not always receive due weight when promotions are given or transfers made. Extraneous considerations exert **Tuition.**

an unwholesome influence on transfers which have been far too frequent. The advice of the inspecting staff is often invited and when given is in many cases ignored. The cumulative effect both on tuition and discipline is deplorable. The position is specially bad in the case of the schools managed by municipal boards. Owing to more favourable circumstances attendance at these is better but the standard of tuition is even poorer than in the districts and stagnation is greater. The percentage of trained staff is also lower than in the schools managed by the district boards; nor are these teachers paid even according to the scales prescribed by Government. Supervision and inspection too are poorer.

Future prospects.

181. Local boards are, however, as the director remarks, "as yet acquiring experience by the early exercise of their powers; such conscious experience will necessarily be followed by development of the sense of responsibility." The recent amending legislation will enable a compulsory statutory devolution of the boards' powers and functions in educational matters to be effected. The experiment is full of promise. Educational expenditure amounts to nearly one-half of the boards' total expenditure.

Aided schools.

182. In tuition and discipline aided schools are inferior even to board schools; their utility lies in providing facilities for education in backward areas and among backward classes, or in testing the local demand for it.

Primary examination.

183. The primary examination used to be conducted by the district inspecting staff; in multi-teacher schools it is now conducted by the head master of the school. In spite of the checks devised there is round to fear that head masters will at first at any rate tend to adopt lower standards of examination.

School committees.

184. As a rule school committees have proved of little use and occasionally have been even harmful; in some districts they have not even been formed.

Half-time schools.

185. Half-time schools have been a failure. Where they still exist, they are in fact full-time schools masquerading under another name.

Adult education.

186. Night school can be set up where an attendance of twenty can be assured. No boy under twelve is allowed to attend them. As maintained at present they have proved to be of little use. Most inspectors think that with better management these schools for adult education can be made useful. A sum of Rs. 5,000 was provided in the 1927-28 budget for financing district boards in forming—through the agency of

the registrar of co-operative societies—"co-operative adult education societies" in selected centres where a cooperative society exists and a suitable teacher is available. The teacher not only gives instruction in the three "R's" but reads and explains books and periodicals with the object of spreading general knowledge.

5. *Training institutions.*

A.—*For men teachers.*

187. There are two main types of training institution. One trains teachers for anglo-vernacular and the other for vernacular schools. Each type has two sections, one higher and the other lower.

Types,
number and
enrolment.

(1) Higher grade training colleges offer a one year degree course open to graduates.

(2) Lower grade colleges admit to a one year or two years' course candidates who have passed the intermediate and high school examinations respectively.

(3) The government normal schools offer a two years' course to students passing the vernacular final examination leading to the vernacular teachers' certificate, which qualifies for service in the middle vernacular schools.

(4) The course for the primary teachers' certificate is of one year's duration, and is provided by training classes.

188. The government training college at Allahabad and the training departments in the Benares and the Aligarh Universities offer higher training for teachers of anglo-vernacular schools. The former trains sixty teachers a year; improved prospects in the teaching profession have attracted men with good degrees. The two lower grade training colleges are government institutions (one at Lucknow and the other at Agra) and accommodate one hundred students. There are eight government normal schools, and the number of students under training rose from 590 in 1921-22 to 707 in 1926-27. First-aid and nature-study have been added to the prescribed course extending in two parts over two years, but the parts are separated by one year of active professional service. The number of candidates rose from 805 to 929.

Training
colleges and
schools.

189. While the number and enrolment of the training colleges and normal schools have gone up, the number of training classes fell from 433 to 65 and of students from 3,203 to 516. This reduction was due mainly to the disappearance of temporary training classes established when the expansion

Decline in
the number
of training
classes.

scheme of 1918 was launched, but it has gone too far. The department is taking action to increase facilities for training; the proposed line of action is to co-ordinate the activities of the normal schools with the courses for the training classes and to establish central training schools intermediate in size between the training class and the normal school.

**Trained
element
among
teachers.**

190. The trained element among teachers has gone up in the case of (1) high schools from 33 per cent. to 44 per cent. and (2) primary schools from 57 per cent. to 66 per cent. In the middle schools it has remained almost stationary.

Expenditure.

191. As a large number of training classes were abolished, expenditure on training institutions fell from Rs. 10.61 lakhs in 1921-22 to Rs. 5.11 lakhs in 1926-27. The provincial share however increased from 77 per cent. to 89 per cent.

B.—For women teachers.

**Training
institutions.**

192. The number of women teachers and the trained element rose from 2,720 and 525 in 1922 to 3,340 and 750 in 1927. High and middle schools employ the largest number of trained teachers. The Isabella Thoburn College now prepares students for the B. T. degree of Lucknow; the class was opened in 1924. Certain aided schools have attached to them recognized training classes which prepare candidates for the English teachers' certificate examination. In 1926-27 there were forty-eight students in four such classes. Training classes for the women's vernacular teachers' certificate examination are maintained in three government normal schools, and in seven aided mission schools. Demand for admission is very keen. More classes are needed; a proposal to open new normal schools at Meerut and Agra is under consideration. There are eighteen training classes for women teachers in primary schools attached to government model schools for girls and to certain approved non-government schools. More classes are needed but competent instructors are not easily procurable.

6. Girl's education.

**Growth of
institutions
and
enrolment.**

193. With slight variations the educational institutions for girls correspond to those for boys. During the period 1921-22 to 1926-27 their growth in number and enrolment has been continuous. A larger proportion of pupils, 10 per cent. against 8 per cent., are now receiving education in the higher sections. But even now 90 per cent. of the pupils are in the first three classes of the primary school. The statement below

shows the growth in the number of institutions and their enrolment :—

	1916-17	1919-20	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27
Number of institutions	1,526	1,674	1,635	1,641	1,649	1,711	1,908	1,937	1,984
Enrolment	49,955	58,000	59,254	60,711	63,209	66,636	68,823	76,355	81,285
Public institutions—									
Number	..	..	..	1,490	..	..	..	..	1,796
Enrolment	..	..	..	57,721	..	..	..	..	77,544
Private institutions—									
Number	..	..	..	151	..	..	..	..	188
Enrolment	..	..	..	2,990	..	..	..	..	3,741
Enrolment in boys' schools.	..	..	..	33,058	..	..	..	..	39,200
Percentage of enrolment in boys' schools to total enrolment of girls.	..	..	..	35 per cent.	..	..	..	..	31.55 per cent.
Total school population of girls.	..	..	..	93,769	..	..	..	..	1,20,485

There has been an increased enrolment in the case of girls of the depressed classes from 464 in 1921-22 to 2,221 in 1926-27, and of Muhammadans from 8,266 to 12,643. While there was no depressed class girl reading beyond the primary stage in 1921-22, there were seventeen in 1926-27, one of whom was reading in class IX.

194. Expenditure on female education rose from Rs. 8.2 lakhs in 1919-20 and Rs. 11 lakhs in 1921-22 to Rs. 14.42 lakhs in 1926-27. Rs. 2.51 lakhs of the total increase of Rs. 3.42 lakhs was provided by provincial revenues. The share from local funds went down by Rs. 33,000 but from all other sources it went up. Owing to an expanding enrolment the cost per girl student went down except in the case of the colleges. The percentage of the total expenditure on girls' education borne by provincial revenues rose from 34 in 1919-20 to 43 in 1926-27.

195. The number of and enrolment in primary schools rose from 1,337 and 45,055 in 1922 to 1,568 and 54,118 in 1927. Most of the increase occurred in board and aided schools.

196. The number of vernacular middle schools for girls increased from 79 in 1922 to 153 in 1927.

English middle education.

197. Most of the English middle schools are missionary boarding schools; a few are maintained by Hindus. Their work has been valuable and there has been a continuous improvement in the methods of instruction. Their enrolment increased from 1,161 to 1,992 between the years 1922 and 1927.

English high schools.

198. Including the three intermediate colleges which maintain high school classes there are fourteen high schools of which three are unrecognized. Two of the recognized institutions continue to attract pupils from all over India. All high schools now levy tuitional fees. The enrolment in the high schools increased from seventy-eight to one hundred and fifty-three.

Intermediate colleges.

199. There are three intermediate colleges with a total enrilmnt of eighty-seven besides a small intermediate section in the Anglo-Oriental School at Aligarh. Except in the intermediate class of the Isabella Thoburn College attendance is meagre.

University.

200. University education is imparted in only two special institutions, namely, the Crosthwaite Girls' College and Isabella Thoburn College. The total enrolment is thirty-eight.

Teachers.

201. The number of teachers in girls' institutions rose from 2,603 in 1920-21 to 3,340 in 1926-27. The majority are untrained, but the proportion of trained teachers—most of whom serve in the English high and middle schools—has been slowly rising; they numbered 525 in 1921-22 and now number 750. An improvement in the standard of teaching has been reported.

Co-education.

202. The growth of enrolment in the schools meant exclusively for girls was more rapid than in the mixed schools; the percentage of girls reading (mostly in the lowest classes) in boys' schools to those reading in schools for girls fell from 35 in 1921-22 to 31.6 in 1926-27. Co-education *per se* is not popular. The girl who attends a boys' school is usually one whose brother or other relation already attends a boys' school or for whom a girls' school is not available within reasonable distance of her home. Few girls complete their primary education in a boys' school.

Girl guides.

203. The girl guide movement is still confined to a few schools, mainly because instructors are few. The movement is, however, much appreciated. The training includes first-aid and ambulance work, signalling, cooking, sewing and nature-study and develops a sense of responsibility and self-reliance.

204. This account is encouraging so far as growth is **Conclusions** concerned. But the aggregate effort it indicates is small. The proportions of female scholars to female population and to female population of school-going age, though rising, are still microscopic. From 0.45 and 3 in 1921-22 they rose to 0.57 and 3.8 in 1926-27. The extent of literacy among boys has always been much higher than among girls and its present rate of growth is roughly nine times that in the case of girls. The distribution of literacy between the sexes is disquietingly uneven, and social and economic forces accelerate the disparity from year to year. Such lop-sided growth is bound to tell on national life both in the home and outside. While Government and progressive public opinion both recognize the problem, and are facing it, the tenacity of orthodox views, the condition of public finances, the limited margin for further taxation, and numerous social and economic obstacles hardly justify the hope that the breakdown of female illiteracy will in these provinces be a rapid process.

7. Education of special classes.

205. Government have consistently recognized that normally a single mixed school is the most economic and efficient medium of primary education. But the ignorance, shyness and poverty of the depressed classes and persistent, though decreasing, caste-prejudice render special schools for the depressed classes a temporary necessity. The claim of Muhammadans to be treated as an educationally backward community was challenged by certain members of the Wetherill committee. But the community desire a combination of secular with religious instruction. In order to attract the backward sections of Muhammadans towards secular schools, the need for special schools was recognized and a definite system of "Islamia" (i.e., special Muhammadan) schools maintained by the boards and *maktabs* was set up. Some *maktabs* received grants-in-aid. This new development of government policy had its repercussion on the Hindu attitude towards education. They too began to demand institutions combining secular with religious (and often sectarian) instruction. The demand was not entirely born of genuine religious feeling: communal jealousy had probably much to do with it. But the result has been the growth of numerous Hindu *pathshalas*. **Special schools.**

206. Special efforts had been made in the latter part **Depressed classes.** of the quinquennium 1916-17 to 1921-22 to encourage the education of the depressed classes. The reformed Government

in 1921 adopted proposals made by the department for the expansion of education amongst these classes and gave a recurring grant of Rs. 80,000 to district boards for special free schools, for special supervisors to stimulate the demand for education, and for post-primary stipends. In 1924 a minimum of Rs. 1.19 lakhs was prescribed for the education of the depressed classes. This has since March 31, 1927, been raised to nearly Rs. 1½ lakhs. The growth in the number of special schools for boys of the depressed classes and in the enrolment of these boys is shown in the statement below :—

	1917-18	1918-19	1919-20	1920-21	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27
Number of special schools.	125	160	208	286	582	622	697	777	784	814
Enrolment in special schools.	3,648	4,677	6,210	7,633	14,610	16,577	22,943	23,030	24,269	22,926
Total enrolment.	14,190	16,945	24,279	26,932	39,415	67,770	73,077	77,020	83,373	91,977

The total enrolment went up by 133 per cent. from 39,354 in 1921-22 to 91,977 in 1926-27.

Even in higher education these classes have been making headway, as the following comparative figures of enrolment show :—

	Middle.	High.	Intermediate.	Post-intermediate.	Normal schools and teachers training classes.
1921-22 ..	392	7	..	..	..
1926-27 ..	1,359	41	11	4	29

Decreasing caste-prejudice.

207. There are positive indications of caste-prejudice breaking down. The special schools provide for only 24 per cent. of the boys of these depressed classes; the rest read in the mixed schools. The increase in enrolment in the special schools in five years has been 57 per cent. whereas in the mixed schools it has been nearly 275 per cent. The special schools also are attended by boys of other castes.

Tuition.

208. The quality of the teachers available for work in the special schools is distinctly inferior to that of teachers in ordinary schools. The field for recruiting teachers from the depressed classes is very restricted and it is difficult to find competent teachers belonging to other castes who are willing to serve in the special schools. The standard of tuition and efficiency in these schools is thus naturally inferior to the standard in the mixed schools.

209. The council being in general sympathy with this ^{Attitude of} line of advance had little occasion to advise the minister or ^{council} criticize his action. A resolution moved by a nominated member belonging to the depressed classes was withdrawn on an assurance from Government that special facilities were being, and would continue to be, provided for their education. This member's proposal that institutions receiving grants-in-aid but refusing admission to a depressed class boy should forfeit such grants met with opposition and was not pressed.

210. There is a provincial inspector of Muhammadan ^{Muham-} schools (the post being combined with that of inspector of ^{madan} Arabic *madrāsas*) and for each division (except Kumaun) a special deputy inspector of Muhammadan schools. The district inspecting staff does most of the actual inspecting. Three district boards receive a grant for the employment of "supervisors of *maktabs*" and the district board of Allahabad appointed one from its own funds; but the actual results achieved do not yet warrant an extension of the system of supervisors. Even now more than half the number of Muhammadan boys attend the ordinary mixed schools, viz., 100,260 out of 192,889; the rest go to Islamia schools or to *maktabs* which may or may not be in receipt of aid from the boards. Government recognize that the mixed school imparts a sounder secular education than the special schools. The qualifications of the teaching staff in both types of special schools are rising but are still poor, and it seems inevitable, that such schools will always remain inferior to the non-sectarian schools.

211. Experience has shown that *maktabs* are more ^{Maktabs} popular than Islamia schools and this is confirmed by the ^{and Islamia} following figures of their growth:—

	1916-17	1921-22	1922-23	1923-24	1924-25	1925-26	1926-27
Islamia schools—							
Number	92	745	762	775	775	707
Enrolment	3,093	21,595	22,725	25,283	25,394	25,448
Expenditure in rupees	9,721	17,784	..	..	..	2,58570
<i>Maktabs aided—</i>							
Number	291	762	862	999	1,106	1,118
Enrolment	8,898	22,968	26,230	32,780	37,846	40,882
Expenditure in rupees	15,157	90,939	..	..	..	1,75,657
<i>Maktabs unaided—</i>							
Number	1,044	..	..	1,059
Enrolment	13,493	..	..	..	..	23,490

The percentage of Muhammadan teachers in the boards' primary and preparatory schools—including Islamia schools—is fourteen, i.e., almost the same as the ratio of the Muhammadan to the total population.

Pathshalas.

212. The movement for the establishment of Hindu *pathshalas* in imitation of Islamia schools and *maktabs* was largely due to outside inspiration. Some boards eagerly adopted the suggestion of making a grant-in-aid to elementary *pathshalas* teaching "Hindu religion" in addition to secular subjects, and a considerable number (exact figures are not available) came into existence. Opinion is not unanimous as to their utility or necessity. The chairman of one district board considered them to be the "right type of schools for boys of tender years," in "great demand," and to have proved a "real success;" but the magistrate of the district and the commissioner of the division in which that board was situated held the view that "they had little educative value." The divisional inspectors too do not generally agree with the satisfaction expressed by many chairmen, and it is too early yet to say whether these schools are in the main the product of communal or of true religious feeling.

**Colvin
taluqdars
school.**

213. The Colvin taluqdars school at Lucknow is intended for the children of the large landholders. It is maintained by the latter's contributions supplemented by a generous grant-in-aid of about Rs. 30,000 by Government. The school is of the residential English public school type modified to suit Indian conditions. The enrolment is 49. Examination results have as a rule compared unfavourably with those in anglo-vernacular secondary schools, partly because there is little inducement to study among young men with an assured income.

Defectives.

214. The education of defectives is still provided by private enterprise. There is a missionary institution for the blind at Rajpur and one has been recently built at Aligarh by a local philanthropist.

**Criminal
tribes.**

215. The Salvation Army maintains four primary schools (for both boys and girls) of the residential type; two receive petty grants-in-aid from the local boards. The teachers' qualifications are poor but the managers' supervision is efficient. There is no provision for the education of adults.

**Reforma-
tory school.**

216. The reformatory school at Chunar is maintained by Government for the reformation of juvenile convicts. On March 31, 1927, the number of inmates was 161. Besides receiving primary general education the boys are taught one or more useful crafts.

8. *Oriental institutions.*

217. Enrolment in the Sanskrit College, Benares, has grown continuously from three hundred and twenty-four in 1922 to five hundred and eighty-two in 1927, and in the anglo-sanskrit department from forty-eight to sixty-one. **Sanskrit college.**

218. Sanskrit *pathshalas* are conducted more or less on traditional lines. The majority are held in temples and *dharamshalas*. No fees are charged. Their number and enrolment and the number of candidates appearing from them at departmental examinations have been continuously increasing. **Sanskrit pathshalas.**

219. In their methods the Arabic *madrastas* resembled *pathshalas*. In 1922 only twenty received grants-in-aid from Government; in 1927 the number was twenty-nine, and the grant was Rs. 35,000. Discipline has almost recovered from the effects of the non-co-operation movement. The number of candidates for the departmental examinations in Arabic and Persian rose from 295 in 1922 to 687 in 1927. **Arabic madrasas.**

9. *Engineering education.*

220. With the exception of the Thomason Civil Engineering College at Roorkee the institutions imparting technical education are not controlled by the education department. Only the civil engineering college need be described here—the others have been dealt with in the memoranda on the working of their respective departments. The Thomason Civil Engineering College, Roorkee, trains civil engineers for the United Provinces, the Punjab and neighbouring Indian states. The special branches added from time to time, e.g., mechanical engineering, cotton-spinning and weaving have been transferred to other institutions, and the college now concentrates on civil engineering. With a view to enable Roorkee men to get into the Indian Service of Engineers, Government took steps to maintain the system of training at Roorkee on a high level. The staff was increased and improved and admissions to the civil engineer class were increased by 50 per cent. An overseer class was established in place of the upper and lower subordinate classes, and the draftsman class was revived. The system of guaranteed appointments has been abolished, and admission to the Indian Service of Engineers is now by general competition. Passed students are reported to have done very well not only in government service but in other fields of work. Expenditure on the college has grown and now amounts to about Rs. 5 lakhs a year. But since the introduction of the system of charging students domiciled outside this province **Thomason College.**

(402)

the full cost of their training, the *net* cost to this Government has been reduced from Rs. 3.50 to Rs. 1.87 lakhs. Before 1921 there was a proposal to affiliate this college to the Allahabad University. But the position changed when that university underwent reorganization in 1921, and retained an "external" side only as a temporary measure. Now that the university of Agra has been established, the question of the affiliation of this college to it will be examined.

CHAPTER VIII.

MEDICAL DEPARTMENT.

221. THE medical department is administered by the inspector general of civil hospitals under the control of the Minister for Education. The inspector-general is an officer of the Indian Medical Service appointed by the Government of India after consultation with the Government of the province. He is assisted by a superintendent of medical aid to women. There are no other administrative officers in the department. In the districts the medical work is in charge of the civil surgeon who directs the work of the other medical officers of the district, including women doctors, whether paid from provincial or local revenues. Organiza-
tion.

222. Even before the Reforms the system of medical relief was predominantly local. The provincial government maintained and managed the large hospitals at Lucknow and Agra, which were attached to the medical college and the medical school, the European hospital at Allahabad, a small hospital at Roorkee, and a number of small dispensaries for the treatment of their police, forest, and canal subordinates. For the greater number of the hospitals and dispensaries were local institutions managed nominally by the district boards, but staffed by government servants, the civil surgeons who were paid entirely from provincial revenues, the assistant surgeons half of whose pay was contributed by the district boards, and the sub-assistant surgeons whose pay was entirely covered by district board contributions. There was a *sadr* hospital at each district head-quarters, a dispensary at almost every tahsil head-quarters, and a small number of dispensaries in important towns which were not administrative head-quarters. The Dufferin fund, a private organization, aided by grants from Government and the local bodies, gradually and unsystematically established female hospitals at the most important towns. This system was more urban than rural and gave no special facilities to the strictly rural area, except so far as the villagers were able and willing to come to the towns or tahsil head-quarters for medical treatment. But the civil surgeon as a touring officer was expected to keep in touch with the villages Pre-reform
system of
medical
relief.

and for a comparatively short period a number of travelling dispensaries were established to bring medical relief to the people's doors. The system was local to a remarkable degree and free from centralized control except that the hospitals were regularly inspected by the inspector-general. The *sadr* hospitals depended on the initiative of the civil surgeon, and to some extent of the district magistrate as chairman of the district board, and showed extraordinary variations in their standards of buildings and equipment. Except for their staff their cost was met locally, and hospital improvements were regarded as in no sense a liability of the State. The municipal boards made contributions which were far from commensurate with the relief given to residents of the municipal area as compared with that given to the ratepayers of the district board. The dispensaries were in theory dependent on local contributions outside the ordinary funds of the district boards; no addition to their number was made unless funds were guaranteed by private philanthropy stimulated by pressure from the district magistrate. Medical relief depended on the initiative of the local officers; it advanced very slowly; and it was quite inadequate for the needs of the population.

Post-reform changes.

223. The reformed Government has retained these main features; the change in the system has intensified the local character of the system but at the same time has substituted a weaker agency for the local initiative on which the system still depends. The ministers have to an increasing extent realized the inadequacy of medical relief in the rural areas, and in spite of their allegiance to the theory that it should be locally developed and locally managed they have more and more felt the need for provincial action in extending the western or scientific system of medical relief. But their attention was inevitably directed in the first place to the encouragement of the indigenous systems of medicine known as ayurvedic and unani. These systems had no recognition in the pre-reform period, but they had a great vogue among the country people, and as the western system was so largely confined to the towns they supplied the treatment to which the villagers most generally had recourse.

Encouragement of indigenous systems.

224. The reformed council very quickly took up the case for these systems and in February, 1921, in the debate on a resolution asking Government to open ayurvedic and unani dispensaries at a few district head-quarters, the minister explained that the pre-reform Government had agreed to give half a lakh for an ayurvedic college at Hardwar on certain conditions which had not been fulfilled, and that he had included in the

budget for 1921-22 not only that amount but also Rs. 5,000 for a recurring grant to the same college and Rs. 20,000 for aid to ayurvedic and unani institutions, which he was prepared to disburse in accordance with the wishes of the council, subject to the understanding that Government were not prepared to run any such institutions but only to assist private organizations. In 1922 and again in 1924 the council recommended that schools and colleges be established to provide training in the indigenous systems. Government appointed a committee to go into the whole matter and accepted the committee's two main proposals which were—

- (1) that Government should subsidize a college and a school for each indigenous system, and
- (2) that Government should establish a board of Indian medicine.

In the last seven years Government have spent just under seven lakhs on these systems of which 1·30 lakhs were non-recurring. In the current year's subject the provision is Rs. 1,81,500 distributed as follows :—

	Rs.
For ayurvedic and unani state-aided school and colleges	1,25,000
For development of indigenous systems	50,000
For board of Indian medicine	6,500

The present position is that Government subsidize two colleges which form part of the Benares Hindu and the Aligarh Muslim Universities and two schools at Hardwar and Lucknow. Two of these institutions (one college and one school) give instruction in ayurvedic and the other two in unani medicine. Government also finance the board of Indian medicine which has been established to fix standards and to control the training and registration of practitioners. In addition they disburse Rs. 50,000 through the board by means of grants to dispensaries, scattered throughout the province, some maintained by local bodies, others by private individuals. The district boards have followed the lead given by Government. Finding the cost of the system inherited by them greater than their existing revenues could bear, they gave up some of the old dispensaries and replaced some by dispensaries affording relief according to the indigenous systems. The total expenditure of the boards on indigenous medicine is little more than one-tenth of the expenditure on scientific institutions (1·84 to 17·69) and eleven boards make no such provision in their budgets. The policy of Government has been to supplement the main system of medical relief on western lines by encouraging

the indigenous systems which are popular with many people and less costly than the western system, and at the same time to improve these systems by modernizing them and providing a body of registered practitioners with recognized qualifications. It is perhaps hardly necessary to say that in pursuing this policy Government have not had the support of the inspectors-general or of the members of the medical profession, Indian and European, who practice the western system. The view taken by the present inspector-general, which can be taken to represent the views of his profession, can be quite briefly summarized as follows. The encouragement of the indigenous systems is not only not beneficial but positively harmful to the people. The regular hospitals are filled with a constant stream of moribund patients who come in in the last stages of some disease which would have been easily curable by early diagnosis and scientific treatment. These patients have almost invariably been treated for weeks or months by a *vaid* or a *hakim* who has promised a cure and they have only resorted to hospital when death was feared. The more these indigenous practitioners are encouraged, the more influence will they obtain with the illiterate masses and the more harm they will do. It is not denied that indigenous practitioners know of certain remedies for simple troubles, but the charge against them is that they have no skill in diagnosis and that they attempt to treat conditions of which they are wholly ignorant and thereby keep the patient away from the chance of diagnosis and cure in hospitals. Every country has its household remedies and in a country where doctors are few such remedies must be constantly in use, but Government by supporting these unscientific systems is widening the distance between the people and the scientifically trained doctor. The inspector-general does not claim that the existing western system of relief is adequate to the needs of the province or of as high a standard as it might be, but he feels strongly that the remedy for that lies not in the encouragement of a wholly unscientific and positively harmful system but in the extension and improvement of the western system. It must, however, be pointed out that the survival of the indigenous systems is a proof that the western system has so far failed to gain any real hold over the mind of the people and is, from a practical point of view, in some sense a result of the enormous gaps in the provision of medical relief to the rural areas. To a very large extent the villagers have no other doctors than the *vaid*s and *hakims*, and Rai Rajeshwar Bali thought himself justified in attempting to improve a system which whatever may be its scientific defects is widespread and popular, and for which, with

present financial limitations, there is no practical alternative. The same minister, notwithstanding his personal interest in ayurvedic medicine, never wavered in his belief that the number of rural dispensaries must be largely increased, and that provision must be taken urgently for the improvement of the *sadr* hospitals. To a large extent the schemes which have been introduced for the development of medical relief on western lines are due to his initiative.

225. Travelling dispensaries did not fulfil expectations. Owing to the difficulty of supervising them and also for financial reasons Government decided to abolish a considerable number and to retain the remainder for prevention of epidemics rather than curative purposes. They then turned to other means of improving the system of relief in rural areas and adopted two new schemes to extend facilities for medical treatment on western lines :—

New schemes of relief.

- (i) They undertook to grant to local bodies or to private persons, or to both together, grants amounting to one-half of the cost, initial and recurring, of any new dispensaries opened in a rural area. At the same time they revised the designs of such dispensaries so as to reduce their cost to one-fourth of the old type of dispensary. This was suggested by the late minister himself. Twenty-five new dispensaries have been opened under this arrangement. The number is not large but district boards have found difficulty in taking advantage of Government's offer owing to lack of funds.
- (ii) They offered to subsidize registered medical practitioners who took up practice in rural areas. The amount of the subsidies offered were Rs. 600 per annum for a graduate in medicine and Rs. 400 for a diplomate. They estimated that there were two hundred and sixty-eight small towns and villages where such practitioners could establish themselves. So far only thirty-eight have taken advantage of the scheme. The result is disappointing, and the scheme is not now likely to succeed as well as was hoped. The fact that the practitioners are subsidized is known and has given rise to the impression that they should attend without fees even on persons able to pay for their services.

Government have under consideration a further scheme for doubling the number of dispensaries.

**Attitude of
district
boards.**

226. The District Boards Act, 1922, released the boards from official control. This has had serious effects on the administration of medical relief. The theoretical position of the medical officers and institutions *vis-à-vis* the boards has been little changed but the removal of the official chairman has in many districts made a very great difference in their actual position. This difference can be stated in very few words. Under the old system the civil surgeon and the chairman worked together. The chairman did what he could, within the limitations of his board's finances and also by raising local subscriptions, to keep hospitals and dispensaries in good condition and he did not ordinarily interfere with the civil surgeon's control over the subordinate staff. Under the present system hospitals and dispensaries are steadily deteriorating both in fabric and equipment because the boards cannot or will not find the money to keep them in repair and properly equipped, and because local subscriptions have largely decreased where they have not altogether disappeared. Under section 82 of the Act the powers of appointment, transfer and punishment of all the boards' servants are vested in the boards, which have often exercised these powers in complete disregard of the civil surgeon's recommendations. Cases in which action formerly would have followed on a minimum of correspondence are now the subject of prolonged correspondence leading to no result. Discipline has therefore suffered to a serious extent. The new boards undoubtedly took over their responsibilities at an unfortunate time, when the cost of administration had increased considerably, and they have been hampered by lack of funds, but they cannot be altogether exonerated on this ground as few of them have made any attempt to increase their resources. There is no doubt that the *sadr* hospitals in particular have deteriorated. One reason for this has been the pre-reform policy of leaving the hospitals to the care of the individual officer. The personal factor counted for too much. Nothing is standardized in these hospitals, neither the buildings nor the equipment, nor the provision of medicines, nor the supply of diet or clothing to the patients, nor the appointment of nurses and servants. An energetic civil surgeon would secure what an apathetic officer went without. The pressure of increased prices combined with the decrease in the influence of the civil surgeon who can no longer induce the boards to provide equipment the necessity for which they do not really understand. Another cause of stagnation has been the well grounded feeling of the district boards that the municipal boards should greatly increase their contributions. New expenditure has been postponed

pending prolonged disputes between the local bodies, the Government have been reluctant to settle these disputes by summary orders rather than by securing agreement between the local bodies, and a practical decision has in several cases been held up by the fact that both bodies were on the verge of bankruptcy. It has several times been proposed that the Government should assume the entire cost of *sadr* hospitals and so release district board funds for rural dispensaries and municipal board funds for sanitary improvements. The late minister was reluctant to adopt this policy as he considered it opposed to the principles of local self-government. He preferred if money were available to expend it at once on improvements to the hospitals. Several projects of provincialization are, however, being considered.

227. Under the old system the district boards were responsible for the maintenance of the majority of hospitals and dispensaries and paid for the officers of the sub-assistant surgeon class. Government have, however, now adopted the policy of permitting the boards to appoint their own nominees to certain dispensaries as vacancies in the cadre of the subordinate medical service occur. There are now seventy-five dispensaries in charge of doctors recruited by the boards. The inspector-general does not consider that this change has been a good one. Civil surgeons report that the doctors appointed by the boards often have much of their time occupied by attendance on the local district board member, his family and his friends and consequently have little time for their legitimate duties. Such doctors cannot ordinarily be transferred and if they prove unsatisfactory are difficult to get rid of, while on the other hand their position is insecure and they have little independence, which in medico-legal cases is a serious matter. There is, however, another body of opinion which takes an entirely different view. It holds that the medical staff, when under the civil surgeon, does not care much for popular opinion or for the welfare of the public and that for that reason it is desirable that they should be placed under the district boards.

228. The provision of medical relief for women is controlled by the Dufferin fund to which the provincial Government make large contributions. The superintendent of medical aid for women, an Indian lady doctor, is the government agent for the supervision of this work. Government have recently given particular attention to this form of medical relief and in the present year have doubled the grant-in-aid, devoting to this purpose most of the funds available for new expenditure. They have drawn up a scheme for the provision

**District
board
doctors.**

**Women's
medical
relief and
maternity
and child-
welfare.**

of thirty sub-assistant surgeons to some of the larger towns and fifty trained midwives to the smaller towns with the object of giving every town with a population of over four thousand either a woman sub-assistant surgeon or a midwife or a *dai*. At the same time Government have decided to double their grant-in-aid to the Lady Chelmsford league which controls maternity and child-welfare work including the training of midwives and *dais*. The league has thirty-three centres in this province. Six institutions have been recognized for the training of midwives and twenty-eight for the training of *dais*. The league arouses mass interest by holding "Baby weeks." It is satisfactory to be able to record that infantile mortality for the province has shown a steady downward tendency since 1921. For the years 1915 to 1920 the mortality averaged two hundred and thirteen and for the years 1921—1927 it averaged one hundred and eighty-three per thousand births.

Tuberculosis.

229. In 1926 Government provided funds for the establishment of anti-tuberculosis dispensaries at five important centres. The object of these dispensaries is to diagnose and treat cases in the early stages of the disease and carry on propaganda against the disease. A health visitor is attached to each centre with the duty of visiting patients in their homes and teaching their relatives and friends how to help the patients and at the same time to protect themselves from the disease. These dispensaries have filled a real want and are undoubtedly doing valuable work. Government have no tuberculosis sanatorium of their own but give support to the King Edward Sanatorium at Bhowali, in the development of which the late minister took special interest, and to a mission sanatorium at Almora, both in the Kumaun hills. They also have under consideration a scheme of subsidizing a tuberculosis hospital at Lucknow, a part of funds for which have been secured by a special appeal to philanthropy.

Leprosy.

230. There are seven leper asylums in the province which are under the control of the inspector-general for curative treatment, six of which receive grants from Government. The largest are at Allahabad and Dehra Dun. In addition there are some asylums which are purely meant for segregation and are under the director of public health. Special leprosy treatment is carried out at the Dehra Dun asylum which has an assistant superintendent who was trained in the latest forms of treatment in the Calcutta school of tropical medicine. In the case of leprosy work also a special campaign for funds was initiated by the central Government and was well supported in this province.

231. In the year 1926-27 Government made a grant to the Lucknow University for the opening of a pathological centre for the province. Modern methods of diagnosis require to be carried out by specialists trained in this type of work and equipped with the proper apparatus and such specialists and apparatus exist only in the Lucknow Medical College. The inspector-General regards the institution of this centre as an important landmark in medical progress. Another new development is the scheme for the grant of study leave to officers of the Provincial Medical Service, similar to that for officers of the Indian Medical Service, to enable them to keep their professional knowledge up to date and to take courses in special subjects. The late minister was fully alive to the need for specialist training in Europe for Indian officers, and readily supported any proposals to this end.

232. There are three educational institutions in the province—
Medical education—

(i) The King George's Medical College in Lucknow is the only college which teaches for a medical degree. It forms part of the Lucknow University. It has the large and well-equipped King George's Hospital attached to it. The college is recognized by, and inspected on behalf of, the General Medical Council of Great Britain. There is very keen competition for admission to it. The staff consists of service officers and others in almost equal proportions. Of the service officers a few belong to the Indian Medical Service and the majority to the Provincial Medical Service. The present principal considers that the standard of education given by the college is improving, if only for the reason that the educational and clinical staff are both being increased in numbers. The number of students on the roll at the end of 1926 was two hundred and forty-three.

(ii) and (iii) The medical schools at Agra for men and women. Up to the year 1923-24 these two schools were connected and instruction in some subjects was given to men and women jointly. The women's school was reorganized and completely separated from the men's school with effect from April 1, 1924. It is now a self-contained institution and its staff has been increased. The men's school used to be under the direction of the civil surgeon of Agra but in 1921 was given a whole-time principal, an Indian officer of the Indian Medical Service, who has been successful in greatly improving the discipline of the school. Both these schools prepare students for the L. M. P. (licensed medical practitioner) examination.

which is the qualification required for admission to the Provincial Subordinate Medical Service. The standard was raised in 1926 when the United Provinces state faculty of medicine was set up in place of the old state board of medical examinations and a new course leading to a membership diploma was instituted. The number of students in 1926 in the men's school was three hundred and twenty-five and in the women's sixty-four. The establishment of an additional school for men was under consideration between 1918 and 1923 but the scheme was dropped owing to lack of money.

**Provincial
organiza-
tions.**

233. There are four provincial organizations :—

- (1) The provincial committee of the Dufferin fund.
- (2) The United Provinces state medical faculty.
- (3) The United Provinces medical council.
- (4) The board of Indian medicine.

The committee of the Dufferin fund is an official body, under the chairmanship of the inspector-general, which controls the women's services. These services are in a somewhat peculiar position which is explained in a later paragraph. The medical faculty fixes the standard of and conducts certain examinations, namely, those for membership and licentiate-ship of the faculty, for the licence in public health, and for nurses, midwives, and *dais* and male sick attendants, and it grants diplomas, licences and certificates of qualification. The medical council maintains the register of medical practitioners and upholds standards of professional conduct, besides exercising a general control over the system and standards of medical education in the province. The board of Indian medicine, as already explained, was established in 1926 to set standards for education in the indigenous systems and to control the training and registration of practitioners of that system.

**The
services.**

234. There are four separate services in the department, apart from the women's services, namely,—

- (1) the Indian Medical Service,
- (2) the Indian Medical Department,
- (3) the United Provinces Medical Service, and
- (4) the Provincial Subordinate Medical Service.

The first is an all-India service, the second a central service and the third and fourth are purely provincial services. Difficulties have arisen from the provincial Government's lack of full control over the first two services and from the competing claims of the first three.

235. The Indian Medical Service is primarily a military service maintained to supply the needs of the Indian army. Its war reserve is employed in civil medical work in the provinces, and the number of Indian Medical Service officers for which these provinces have till recently been required to provide employment was thirty-six. The number has now been reduced to eighteen. The number actually employed in the province is twenty-four. From all these figures officers employed in the jail department have been excluded. This system has obvious advantages from the point of view of the central Government. It is economical, as it provides useful employment for a reserve which must be maintained but for which the army cannot find employment in time of peace. It affords the Government of India a convenient way of securing that a minimum number of British medical officers, adequate for the requirements of British officers and their families, is maintained in each province. From the point of view of the provincial Governments it might also be regarded as an advantage that the system places at the disposal of the provincial Governments the services of officers of higher professional attainments than they could easily recruit for a purely provincial service. But as against these advantages it has, under the reformed system of government, serious drawbacks. It restricts to a considerable extent the minister's control over the department. The recruitment for a considerable number of posts is definitely taken out of his hands and the field of selection for the most lucrative posts in the province is restricted as a result of the orders of the Secretary of State reserving the posts of civil surgeon in fifteen specified and three other stations for officers of the Indian Medical Service most of whom happen to be British. The competing claims of the Indian Medical Service and United Provinces Medical Service officers at times give rise to racial and service questions in regard to which feeling in the council is strong and they thus render the position of the minister far from easy. The difficulty is aggravated by the fact that recruitment to the Indian Medical Service, unlike recruitment to other all-India services operating in the transferred field, has not been closed, and the province will have to go on taking Indian Medical Service officers, partly to absorb the army reserve and partly to provide suitable medical attendance for British officials and their families. The number of Indian Medical Service officers employed (including officers on leave) in the medical department on January 1, 1921, was thirty-two and on January 1, 1928, was twenty-two. The number of posts of civil surgeon reserved for the Indian Medical Service has been reduced from thirty-

The Indian
Medical
Service.

to eighteen. There has thus been a considerable reduction in the number of Indian Medical Service officers but no further reduction is in sight for the reasons stated above, unless it comes about from lack of officers.

**Indian
Medical
Department.**

236. The Indian Medical Department, like the Indian Medical Service, is primarily a military service maintained to provide a reserve of medical officers for attendance on the British units of the army in India in time of war. It is composed of domiciled Europeans and Anglo-Indians. Being recruited for service with British troops, it was closed to Indians. Its surplus strength in time of peace has, like that of the Indian Medical Service, been absorbed in civil employment in the provinces. Few of the officers of this service have qualifications recognized in Britain. The majority have qualifications recognized only in India. Up to the year 1923, twelve posts of civil surgeon were reserved for members of the service. From the point of view of the provincial Government the system under which the province has to provide civil posts for officers of this service has all the disadvantages which apply to the case of the Indian Medical Service without the advantage of supplying officers of really high professional attainments. In consequence this service has been even more unpopular with the legislative council than the Indian Medical Service. The ordinary grade pay of Indian Medical Department officers is regulated by the Government of India but their pay as civil surgeons by the provincial Governments employing them in that capacity. In all provinces except this province their pay as civil surgeons was revised with effect from 1920, and in this province the pay of officers of the Provincial Medical Service while holding posts of civil surgeon was also revised from that year. The effect of these revisions was to place Indian Medical Department civil surgeons in this province in a much worse position than officers of their own department in other provinces and than officers of the Provincial Medical Service in this province. The hostility of the council prevented anything being done to remedy this wrong so long as the system under which these officers were employed in the province was not altered. The system was altered in 1923, when the Government of India undertook to send no more Indian Medical Department officers to the province and agreed that in future no posts of civil surgeon should be specially reserved for officers of the department. But it was not till 1926 that the pay of Indian Medical Department civil surgeons was put on a fair basis and only then because the council had come to recognize that a wrong had been done and pressed

the minister to put it right. The number of Indian Medical Department officers employed (including officers on leave) in the province on January 1, 1921, was nineteen and on January 1, 1928, was sixteen. Vacancies as they occur are filled by officers of the United Provinces Medical Service so that it will not now be many years before there are no Indian Medical Department officers employed in the province.

237. The Provincial Medical Service stands in much the same relation to the Indian Medical Service as other provincial services stand to the all-India service in their departments, though the proportion of higher posts in the department reserved for its officers is somewhat larger than the proportion in other departments reserved for provincial service officers. The service was in 1920 entitled to eight out of forty-nine posts of civil surgeon and actually held eighteen, and in 1928 it was entitled to fifteen and actually held twenty-nine. In addition officers of this service hold charge of the most important dispensaries at headquarters of districts and elsewhere. From 1916 the majority of officers recruited to the service began to be men with medical degrees and the possession of such a degree—or equivalent qualification—is now an essential requirement for admission to the service. The professional standing of the service has therefore risen very greatly in the last twelve years. Furthermore, the service is purely provincial, entirely civil, and altogether Indian. With the increase in its own self-esteem, it began to resent the dominance of the Indian Medical Service and the reservation for that service of the most lucrative posts, and also to resent to an even greater extent the reservation of civil surgeoncies for officers of the Indian Medical Department with comparatively low medical qualifications; and by a natural appeal to racial and provincial feeling it has won the sympathy and support of the legislative council for its claims to more favourable treatment. The sanctioned strength of this service on January 1, 1928, was one hundred.

238. The Provincial Subordinate Medical Service supplies officers to hold charge of the less important dispensaries and to act as assistants in other dispensaries and hospitals. The qualification for admission to the service is that given by the Agra medical school. As Government have now adopted the policy of allowing district boards to employ their own medical officers of this class when they wish to do so, recruitment to this service has been closed, and owing to this reason and also the closing of many travelling and also some other

dispensaries, the cadre has gone down from 603 in 1921 to 402 in 1927.

Women's services.

239. The Women's Medical Service is, strictly speaking, only a semi-government service and is under the control of the Dufferin fund. The provincial committee of that fund control the four members of the Women's Medical Service who are in charge of Dufferin hospitals in the province and also the women assistant surgeons and the women sub-assistant surgeons, who correspond respectively to provincial service and subordinate provincial service officers.

The department in the council.

240. (i) *Legislation.*—The District Boards Act, 1922, has, as already explained, adversely affected medical administration to a serious extent. The United Provinces Medical (Amendment) Act, 1922, was a small Act to enable the University of Lucknow to elect members to the United Provinces Medical Council. Two minor Acts empowered municipal and district boards to delegate powers, duties and functions to government servants including civil surgeons. The position of the civil surgeon is, however, still very indefinite. No rules have been made for the administration of medical relief by the boards and no definite powers have been delegated to the civil surgeons. In effect the old system continues.

(ii) *Budget debates.*—In the years 1921 to 1924 the council passed the demand for the medical department after little discussion and without material reduction. The chief points raised in the course of the debates were in each year the position and pay of the Indian Medical Department, in 1921 and 1923 the provincial contribution to the European lunatic asylum at Ranchi, in 1923 and 1924 the encouragement of the indigenous system of medicine, and in 1924 the position of the Indian Medical Service. In 1925 and 1926 there was much more discussion but again no material reduction. The post of inspector-general came in for attention as the result of the recommendation of the Economy committee that it should be abolished as a separate post and the council in 1926 recorded its agreement with this view by passing a token reduction of Re. 1. The grievances of the Provincial Medical Service and the feeling of dissatisfaction with the Secretary of State's orders in regard to the number of Indian Medical Service officers to be provided with civil employment in the province and with the reservation of specified civil surgeoncies for some of these officers found expression in both years and in 1926 the council carried a reduction motion as a record of its dissatisfaction with the orders and its view that more posts of

civil surgeon should be given to Provincial Medical Service officers. The pay of the Indian Medical Department again received attention and the change of feeling on this question was so marked that in 1926 the council passed a token motion for reduction as a demand for a reconsideration of the whole matter. In 1924 the Anglo-Indian representative had for the first time given expression to the Indian Medical Department's point of view and Government had then promised to look into the matter. But they had done nothing, and in the course of the debate in 1926 the minister explained that he had made no recommendations because he did not know how the council would receive them and promised that if the council gave a clear indication of its views he would put proposals before it. The council gave the required indication and the minister fulfilled his promise. The position of the local boards in relation to medical relief came into prominence in the debates of these two years. The existence of two sets of opinion became clear. Some members asked for provincialization of some of the hospitals and dispensaries, others demanded that the medical staff should be placed entirely under the local boards. There was also complaint of insufficient expenditure on medical relief. The minister explained that he was opposed to further provincialization and admitted that there was not enough money for medical relief because of the large sums spent on education. The indigenous systems received further support and there was some demand that Government should do more to aid local and private institutions. There was no discussion on the 1927 demand as the council spent the time allotted on the discussion of the other demands in the same group. In the present year the demand was discussed at some length. The debate was chiefly remarkable for the fact that one non-official member had the courage to attack the expenditure on the indigenous systems in spite of the general feeling of the house being strongly against him. The position of the Indian Medical Service in relation to civil surgeoncies again attracted attention and other matters raised were the contribution to the Ranchi asylum, which is non-voted, the need for more highly qualified women doctors and the inadequacy of medical relief in rural areas.

(iii) *Resolutions*.—Resolutions dealing with medical administration have been comparatively few, especially in recent years. On February 18, 1921, there was full discussion of a resolution asking for the establishment of a civil medical service composed of Provincial Medical Service officers and private practitioners. In the course of his speech the mover explained the objections to the present system under which the

war reserve of the Indian Medical Service is given civil employment in the provinces. These objections put briefly were, (1) that the civil population should not be dependent on a military medical organization, (2) that the system hinders the growth of an independent medical profession, (3) that it is costly, (4) that it is contrary to the principle of provincial autonomy, and (5) that it has so far provided an undue predominance of European officers. The intention of the resolution was merely to give expression to the provincial point of view and it was not pressed to a division. Resolutions recommending the encouragement of the indigenous systems of medicine in one form or another were moved on February 23, 1921, and December 14, 1922. On the latter date the council by a majority of one recommended the establishment by Government of one school to teach the indigenous systems. Other resolutions have dealt with the payment of fees, above those charged by rule, for operations done in hospitals, and the observation of Indians suspected of being lunatics in asylums instead of in jails.

(iv) *Questions.*—Questions have mostly been on the matters raised in the budget debates and resolutions, the indigenous systems of medicine, the services, Indianization, and racial or communal matters.

(v) *Summary.*—The first effect of the Reforms was to focus attention on such matters as Indianization and the position of the services. More recently the council has shown a certain amount of interest in medical administration, as a whole, and in particular in the provision of relief in rural areas. Provincial and racial feeling has influenced it to a considerable extent in dealing with matters connected with the services and national feeling has had some part in shaping its attitude to the indigenous systems of medicine. Complaints of the cost of medical relief on western lines and the desire for a cheaper system have found frequent expression. The position of the minister in the council has on many occasions been difficult owing to the fact that he has had to reply to attacks on the department in regard to matters in which he has not had a free hand but had to carry out orders of higher authority, for example, the reservation of posts for Indian Medical Service officers and the contribution to the Ranchi asylum.

**The
department
and the
ministers.**

241. What has already been said in regard to the conflict of public and scientific opinion on the encouragement of the indigenous systems of medicine, the conflict of service interests in the matter of appointments, and the conflict of racial

interests in the matter of medical attendance, and also in regard to the deterioration of medical administration under district boards is sufficient to show that the position of the minister in charge of the medical department has been one of considerable difficulty. The position of the inspector-general has been no less difficult. The occasions for differences of opinion between the political head and the professional head of the department have been numerous and there has been need for a constant process of adjustment. It is obvious that this cannot be to the benefit of the administration of the department. Serious differences of opinion have from time to time arisen in regard to the postings of officers. The reservation of certain definite appointments for officers of the Indian Medical Service has reduced to some extent this particular form of difficulty though on the other hand it tends to increase the feeling against that service. There has in this department been a very considerable amount of pressure on the minister from members of the legislature in such matters as the transfer and appointment of officers, and the inspector-general has naturally felt it necessary to resist such pressure wherever possible in the interests of discipline and to preserve the good name of the department. Relations between successive ministers and inspectors-general, of whom there have been five, have on the whole been quite friendly though their points of view have in many matters been diametrically opposed.

242. Enough has been said to show that the period since 1921 has been one of considerable difficulty for the medical department. The maintenance of the established policy of regarding medical relief as a local interest after the release of the district boards from official control has undoubtedly led to a general deterioration in the efficiency of the system of medical relief. In pursuance of this policy Government have resisted pressure to provincialize parts of the system, and while assisting boards financially, have tried to insist on the primary responsibility of the boards for finding funds to maintain their own institutions. Government have also given assistance in such a way as to encourage the boards to shoulder their own burdens. This policy is now breaking down and it seems inevitable that if there is to be real improvement Government will have to intervene and take the initiative much more than they have done in the past. Conclusion.

CHAPTER IX.

PUBLIC HEALTH DEPARTMENT

**Intro-
ductory.**

243. THE war affected this department very seriously by depriving it of most of its important personnel. As a result the activities of the department were very greatly restricted and the restoration of normal conditions nearly synchronized with the introduction of the Reforms in 1921. It is important to remember this when considering the development made in the last seven years. As will be seen later many of the changes which have been introduced in this period had been under the consideration of Government, and some had actually been accepted, immediately before the introduction of the Reforms.

**Organiza-
tion of the
department.**

244. The department is administered by the director of public health under the Minister for Education. The director is assisted in the general administration of the department by three assistant directors, each of whom holds charge of a section of the province called a range. There are in addition three other assistant directors, each of whom is in charge of a special branch of the department. The director and two of his assistants are officers of the Indian Medical Service. The other four assistant directors are members of the Provincial Public Health Service. They all hold British diplomas of public health, without the possession of which no officer of the Provincial Public Health Service is eligible for promotion to the post of assistant director. The superior executive staff of the department consists of officers of the Provincial Public Health Service of whom there are ninety. Thirty-one of these officers are employed as municipal medical officers of health and fifty-three as district medical or assistant medical officers of health, and one is the chief medical officer of health in the Tarai and Bhabar Government estates. The remainder are employed on other work of a special nature. There is also a large subordinate staff. Forty-two medical officers are in charge of travelling dispensaries. There are one hundred and sixty-six chief sanitary inspectors and sanitary inspectors in municipalities and one hundred and eight sanitary inspectors in rural areas. The personnel of the department is completed by a number

of specialists, some employed temporarily on research work and others permanently on the manufacture of lymph and the analysis of food, etc.

245. Public health engineering is under the direction of a superintending engineer. It is practically a separate department. The superintending engineer works directly under the minister in charge, who is the Minister for Local Self-Government and not the Minister for Education as in the case of public health proper. But no plan or project of the engineering department can be given effect to without the final approval of the director of public health. The organization and work of the engineering department is described in a later chapter.

246. The most important development in the sphere of public health has been the extension of the department's activities to rural areas. In the pre-reform period attention had been devoted principally to the towns. In 1920 Government first took up a scheme for the formation of a service of district medical officers of health. Owing to financial difficulties the scheme was not initiated till 1922 when two districts were staffed as an experimental measure. The experiment proved successful and a demand arose for its extension to other districts. There are now twenty-six out of the forty-eight districts in the province staffed with medical officers of health and the remaining twenty-two districts will be similarly staffed as soon as the trained staff and funds are available. The establishment of this service has greatly facilitated the problem of dealing with rural sanitation and epidemics and is now the main feature of the department's policy.

247. (i) *Epidemics*.—The rural health service is designed primarily for combating epidemics, and funds are placed at the disposal of the department for special grants for anti-epidemic work, while vaccine and inoculation outfits are also supplied free wherever need is proved. Arrangements are in force whereby early information of outbreaks of disease are obtained and all branches of the district administration are required to co-operate with the health staff in fighting an epidemic under the guidance of the district officer. Owing to the larger personnel at the disposal of the department epidemics are much more easily controlled now than they were even a few years ago.

(ii) *Education in hygiene*.—During the non-epidemic season the public health staff is employed in trying to educate the masses in personal, domestic and commercial hygiene.

They are continually on the move giving lectures and demonstrations. Medical officers of head-quarters and outlying dispensaries are also required to give a certain number of lectures in the areas which they serve, while members of local boards and recognized public associations, such as the servants of India society, are given facilities for similar demonstrations. No immediate results are apparent, or indeed could be expected, but the department hopes that seeds are being sown in the minds of the younger generation which will bear fruit in due time. Films illustrating the real cause and spread of disease by realistic scenes and in familiar surroundings have been produced by the department and are used for propaganda purposes.

(iii) *Sanitary improvements.*—The staff also organizes and supervises the sanitary improvement of villages where this is possible. Both funds and interest have, however, been to a large extent lacking. In certain areas sanitary inspectors have been provided with gangs to disinfect where necessary, open up drains, construct soakage pits and carry out such other minor works as they can, but a paid sanitary staff, such as exists in urban areas, is necessary for the improvement of village sanitation and the average village has no funds for the purpose, while the appointment of scavengers by Government, while entailing very large expenditure, is open to the objection that it is apt to lead to the villagers losing all initiative and neglecting their primary duties. In some cases village *panchayats* have been induced to employ a part-time sweeper, and where the *sarpanch* of the *panchayat* showed interest in the experiment appreciable results were noticed. A good deal of attention has been paid to the improvement of rural water supplies and experiments have been in progress for some time to devise a simple and economical method of effecting this. Grants-in-aid are made to such village *panchayats* as agree to meet half the cost of improving the existing wells or of making new ones. Specifications and a set of instructions have been prepared and circulated for one type of work, namely, closing the tops of wells and installing pumps, and the board of public health makes grants to district boards for the instalment of such pumps. This scheme has appealed to some districts where many pumps have been installed. In others it has attracted little interest. Plans of model villages and village houses have been prepared by the department and are distributed to prospective builders who are also given all necessary advice as to site, etc. In certain cases the board of public health has made grants for the construction of model houses

for demonstration purposes, but actual construction has not yet been completed in any case.

(iv) *Legislation.*—Medical officers of health have called attention to the need of permanent legislation to prevent villagers from committing sanitary offences after repeated warnings. The aim so far has been to convince the villagers by propaganda and advice, but there is a feeling in some quarters that more than this is now needed.

248. A scheme for the inspection of the health of schools ^{Work in schools.} was initiated before the Reforms, but for want of proper organization made little headway. The establishment of the rural health service has enabled an increasing number of scholars to be examined every year. The district medical officer of health is required to inspect the schools and the health of the scholars in any village which he visits. He gives the teachers directions in regard to the treatment of common complaints. Treatment centres are, however, still few and the main difficulty of the scheme lies in the lack of facilities for treatment. An experiment has therefore been started in one district where all the village primary schools have been stocked with certain simple medicines and the teachers supplied with instructions for their use so that necessary treatment may be available on the spot.

249. A scheme for the establishment of a hygiene ^{Hygiene publicity bureau.} publicity bureau was began in 1920, but its expansion and organization on a permanent basis have taken place since 1921. The bureau is in charge of an assistant director. It supplies municipal and district medical officers of health and others with magic lanterns and propaganda material, while the assistant director and his two assistants besides preparing and regulating the issue of material themselves go on tours during which they give lectures and also supervise the work of subordinate officers. Contributions towards the cost of the bureau are made by the Indian Red Cross Society as well as by a number of district and municipal boards.

250. The expansion of the municipal and rural health ^{Hygiene institute.} services necessitated the provision of facilities for the training of personnel as the supply of qualified officers was inadequate. In 1920 the director submitted a scheme for the expansion of a properly equipped hygiene institute to provide the necessary training and also facilities for research work. The staff for the teaching side of the institute was sanctioned in 1921 and for financial reasons was attached to the Medical

College, Lucknow. The classes were not at first popular, but since 1924 appointments have been available for all the men that could be trained and there is now keen competition for admission to the classes. Accommodation in the college has proved inadequate, and the construction of a new building was sanctioned in 1926. The building will be opened and the necessary staff appointed in the present year.

Malaria.

251. Malaria is one of the scourges of the province and a malaria branch of the public health department has been in existence since 1908, with the exception of the years 1917 to 1920 when it was in abeyance owing to the exigencies of the war. The appointment of a director of malariology was regarded by the first legislative council as unnecessary, and for that reason the branch was not made permanent till 1925, by which year the Economy committee had recommended its retention. The branch carries out surveys and gives practical advice to local bodies regarding their anti-malaria problems. It gives field training to medical officers of health in municipalities and in districts so that they may be able to initiate small works in their own areas and advise their local bodies. The malaria problem is a difficult one. The villagers must have earth for building their houses and it is impossible to stop excavation even though this increases the breeding grounds for mosquitoes. To fill up depressions in a flat country is a work of great practical difficulty, the cost of which is out of all proportion to the population which can be protected and quite beyond the present financial resources of the province. Large anti-malarial works have therefore practically been abandoned for the present. Other methods of fighting malaria, such as the use of paris-green, the oiling of tanks, the introduction of larvae-eating fish into village tanks, etc., are adopted where suitable. The branch has in addition to its ordinary duties been in supervising charge of the health of the labour employed on the construction of the Sarda canal where that canal passes through the Tarai. Largely as a result of the arrangements made by the branch, the labourers gained confidence and the working season was substantially increased. Construction has thus been expedited to the financial benefit of Government. A special officer was appointed in 1927 for the malarious tract in which the Tarai and Bhabar Government estates lie. Surveys of most of this area have been carried out.

Travelling dispensaries. 252. Travelling dispensaries were first established in the province in 1911 and have been continued on a temporary

basis ever since. Their control was transferred from the medical to the public health department in 1920 when, in addition to the curative work on which they had previously been employed, they were utilized for epidemic duties, and the officers in charge were required to possess the qualification of the licence in public health in addition to their medical qualifications. In 1921 there were sixty-three provincial and forty-seven district board dispensaries. Owing to financial and other considerations, including the difficulty of supervision, Government reduced the number of provincial dispensaries to thirty-six, and for similar reasons all except four of the district boards which maintained dispensaries decided to abolish them. The provincial Government, however, retained these dispensaries, equipped in all but personnel, as reserve units, to be mobilized and used in case of outbreaks of epidemics.

253. In 1914 a quasi-provincial service of medical officers of health was formed at the instance of the Government of India. Municipal boards had the power of appointing and dismissing these officers and the approval of the boards concerned was in each case necessary to their posting or transfer. Government induced the boards to make these appointments and retained some control by meeting about half the cost of the officers. The boards were required to select their officers from a list of qualified men and a uniform scale of pay was prescribed. This arrangement gave rise to many difficulties, and Government, with the approval of the legislative council, formed a single service of provincial officers available for employment under either municipal or district boards. The officers of this service are therefore now under the control of the director who has full discretion in posting members of the service so as to ensure that men with special qualifications are posted to appointments for which they are specially suited. Government now meet the full cost of the service, which has involved additional expenditure to the amount of Rs. 40,000.

Provincial
public
health
service.

254. In 1924, as a result of a question put in the legislative council, Government approved of a scheme of research into the cause of endemic plague in the province. This work has been in progress since 1925, and the Indian Research Fund Association have met its entire cost since September, 1926. Research into the cause and spread of cholera has also been in progress since October, 1926, at the cost of the same fund. Two new lines of research, into the problems relating to

Research.

malaria and into the dietetics of the province, are at present under consideration. Six special officers are at present employed on research work.

**Religious
fairs.**

255. Important religious fairs are a feature of the life of the province and one of the duties of the public health department is to supervise the public health arrangements at such fairs. The establishment of a rural health service has greatly facilitated this work and all minor fairs are now satisfactorily supervised by the district medical officers of health. The assistant directors of the department supervise the larger fairs. Since 1921 three fairs of more than usual importance have taken place, in 1921 and 1927 at Hardwar and in 1924 at Allahabad. The arrangements made by the department at these fairs were so successful that no epidemic broke out. In the last Hardwar fair the public health arrangements were in charge of an Indian officer whose energetic and efficient work has been highly commended. This was the first big fair to escape cholera in an epidemic form and the actual cholera mortality during the fair was only twenty-six, while there was little spread of the disease from Hardwar.

**Factory
inspection.**

256. The assistant directors of public health and medical officers of health have since 1926 been made *ex officio* inspectors of factories within the limits of their jurisdiction. The officers of the department are therefore now in a position to make systematic inspection of the health of factory workers. This has been rendered possible by amendment of the Factories Act.

**Vital
statistics.**

257. Prompt reporting and accurate registration of vital statistics are the basis of all public health work. But the initial figures are supplied by the village watchmen who are illiterate, who have many other duties and whose number has been reduced as a measure of economy, and Government have for financial reasons been unable to adopt any of the alternative schemes which might secure more accurate statistics. An attempt to improve the existing agency is being made by means of lectures given to watchmen by district medical officers of health, and also by means of a more rigorous verification of the work of the watchmen by members of the rural health service. The general death-rate per thousand of the population and also the cholera death-rate per thousand are given below. These figures prove that there has been a diminution in the general death-rate and also in the cholera death-rate

coincident with the expansion of the public health department.

(NOTE.—1918 and 1919 influenza years were abnormal.)

	1915	1916	1917	1918	1919	1920	1921	1922	1923	1924	1925	1926	1927
(a) General	30	29.5	37.9	32.4	41.7	37.2	39.6	35.0	23.4	8.3	24.8	25.1	22.5
(b) Cholera	1.13	0.91	0.46	2.56	1.74	0.15	3.30	0.05	0.06	1.48	0.17	0.13	0.62

258. In 1921 the department had four Indian Medical Service officers, all of whom were British. On the occurrence of a vacancy in one of the appointments held by a British officer the minister opposed the appointment of an Indian Medical Service officer neither on personal or service grounds but because there was available an Indian officer whom he considered thoroughly qualified for the post and who has in fact since justified his appointment. The director considers that in his present staff of Indian assistant directors he has got officers of good qualifications and ability well suited to the work on which they are employed. The abolition of a British diploma of public health as a necessary qualification for appointment as municipal medical officer of health in the seven largest towns was a step towards Indianization of qualifications though not likely to affect the nationality of personnel. The executive staff of the department is, with the exception of some specialist officers, entirely Indian.

259. The public health budget has varied within wide limits in recent years. In 1920-21 it amounted to 15.28 lakhs only, but in the following year it rose to 30.08 lakhs. In 1925-26 it was again down to 15.42 lakhs while two years later it had risen to 29.25 lakhs. These wide variations are due to differences in the amount of the grants allotted through the board of public health and over the expenditure of which the department has no direct control. In 1921-22 such grants amounted to 23.14 lakhs, in 1925-26 to only 3.85 lakhs and in the current year to 11.68 lakhs. What is more important than such variations is the steady growth in the expenditure controlled directly by the department and especially that on the permanent health services. The statement below shows at a glance the progress of such expenditure, and of particular interest is

the expansion from Rs. 72,000 in 1921-22 to 4.55 lakhs in the current year of the expenditure on the health services.

Year.	Allotments for superintendence, travelling dispensaries and sanitary classes.	Allotments for municipal and rural health services.	Allotments for anti-epidemic measures.	Allotments for grants through the board of public health.
	Rs.	Rs.	Rs.	Rs.
1921-22 ..	4,44,500	72,000	65,000	23,14,000
1922-23 ..	4,94,646	91,627	65,000	6,76,000
1923-24 ..	5,10,021	1,41,829	65,000	3,70,000(a)
1924-25 ..	4,46,390	1,95,855	38,000	4,05,000(b)
1925-26 ..	4,36,562	3,49,269	50,800	3,85,000(c)
1926-27 ..	4,63,923	4,12,826	90,000	11,07,884(d)
1927-28 ..	4,48,381	4,55,835	90,000	11,68,126(e)

NOTE.—(a) Excludes Rs. 5,60,000 given as grants from loan funds.

(b)	..	..	4,12,000	..	..	..	..
(c)	..	..	6,50,000	..	..	..	..
(d)	..	..	25,000	..	..	..	..
(e)	..	..	10,000	..	..	..	..

Committees.

260. Public health is one of the subjects on which the standing committee for local self-government was appointed to advise. There is also a board of public health. This board dates from the pre-reform period, but its personnel was altered after 1921 so as to place the non-official members in a majority. Its most useful function is to advise Government in regard to the boards which most deserve assistance in the shape of grants for approved sanitary schemes. In 1921 Government appointed a committee, with the director as chairman, to report on the policy to be pursued to check leprosy and segregate lepers. The committee submitted its report in the same year but funds to carry out its proposals have not so far been available. In 1924 as a result of criticism of the rural health service in the finance committee, Government appointed a non-official committee under the director to consider the best method of combating epidemics in rural areas. The committee recommended the extension of the rural health service to other districts and Government have adopted that policy.

Attitude of the Legislature.

261. (i) *Legislation.*—No purely sanitary legislation has come before the council, but certain clauses of the District Boards Bill, 1922, laid down the duties of boards in regard to public health. The council passed these without difficulty and also supported Government in regard to the importance of departmental control over the technical services. Acts IV and VII of 1926 enabled municipal and district boards to delegate

certain powers to health officers. Government have bills for compulsory vaccination and for the amendment of the Food Adulteration Act nearly ready for introduction and they are also considering a bill to make the registration of *dais* compulsory. Two private bills dealing with village sanitation and the Town Areas Act, both with important bearings on public health, are likely to come before the council at an early date.

(ii) *Budget*.—The budget discussions have afforded opportunities for a good deal of criticism but this has on the whole been reasonable and helpful rather than destructive, though opposition to certain appointments has been based on no more solid grounds than that they were filled, or were likely to be filled, by Indian Medical Service officers. Poverty of results was often emphasized in the earlier years of the period and the inadequate provision of funds has been criticised, but appreciation of the department's work has not been lacking. Some members have suggested the imposition of additional taxation to provide larger resources, but there is no reason to suppose that the council as a whole would have shown itself ready to adopt such a course. It is to the credit of the legislature that it approved of the provincialization of the health services even though this involved some curtailment of the powers of municipal boards. Points which have been frequently stressed in the council have been the need for larger provision for rural sanitation and educative propaganda, the extension of maternity and child-welfare work and the improvement of vital statistics. Owing to the pressure of the council a British qualification in public health is no longer insisted on in the case of the municipal medical officer of health in charge of the seven largest towns. Government have, however, been able to retain this requirement in the case of assistant directors of public health. The appointments of director of malariology and director of epidemiology were not popular with the first council. Under pressure, financial and political, Government abolished the latter post but transferred its duties to one of the range assistant directors. With the support of the Economy committee Government were able to retain the other post permanently. The council has for the most part been content to criticize and has passed the departmental budget year by year without any substantial reduction.

(iii) *Resolutions*.—Resolutions have been rare and have dealt with such matters as the opening of training centres for *dais*, general improvement of the amenities of rural life, physical training in schools, etc.

(iv) *Questions*.—Questions have been fairly numerous. Many were of only local interest regarding grants to particular boards, drainage works, epidemics, etc. Others have concerned urban and rural sanitation, health inspection of scholars, etc.

(v) *Summary*.—The council has shown a distinctly higher sense of responsibility than the local boards. The majority of members have proved themselves open to conviction and have shown some appreciation of the importance of public health matters and of the manner in which the department is grappling with the difficult problems which confront it.

**Attitude of
local boards.**

262. So long as local boards retain their present place in the administrative system, any scheme of public health administration is to a very large extent dependent for its success on their co-operation and assistance. Government can supply the general staff to work out the plan of campaign and also the highly skilled technical staff to supervise it, but unless the boards supply the subordinate staff in their requisite numbers and show a readiness to place these at the disposal of the technical officers and to give these latter officers their whole-hearted support results cannot fail to be disappointing. Up to the present the boards, with few exceptions, have quite definitely failed to show any real appreciation of the importance of public health matters or any sense of responsibility for the care of the health of those persons whose interests have been entrusted to their charge. This matter is so important that it deserves some further elaboration.

**Technical
staff.**

263. Government have reserved to themselves statutory power to prescribe the minimum technical staff that should be employed by municipal and district boards, but their policy has been to refrain from the use of this power except as a last resort and to leave it to the boards to decide for themselves the staff to be employed. Experience has shown that boards are sometimes unwilling—either from lack of conviction or from lack of funds—to employ the requisite personnel or persons possessing the necessary qualifications. It has only been by the adoption of the system of grants-in-aid that Government have found it possible to induce boards to comply with their requirements. Where the persuasive power of the grant-in-aid cannot be made use of, the qualifications of persons employed and the rates of pay given by different boards show very wide disparities. Some illustrations may be given:—

(1) In 1922 the statutory regulations regarding the number of vaccinators to be employed ceased to be operative. Some district boards immediately took advantage of this to

reduce their cadre of vaccinators. Other boards followed this example at intervals, and ultimately Government had to re-impose a regulation laying down the number to be employed by each board.

(2) Much the same thing happened in the case of sanitary inspectors in municipalities, and Government again had to prescribe the specific number to be employed by each board.

(3) Only thirty-one out of eighty-five municipalities are required to employ medical officers of health, and these are classified in such a way that each town may employ an officer suitable to its size and importance. The boards pay nothing for these officers. In spite of this seven boards definitely refused to have such officers. It is understood that the reasons for this refusal were partly fear of having to pay for sanitary inspectors and partly fear that the medical officer of health would become a rival of the secretary of the board. At the instance of Government appointments to two of these municipalities have since been made.

The boards have also shown a tendency in some cases to treat their staff in an irregular and even in an unjust manner. Instances could be cited of important boards refusing for quite inadequate reasons to allow their permanent medical officers of health to rejoin their posts on return from leave, and also of a board trying to turn out a health officer, who had served it for eight years in very difficult circumstances, in an equally irregular manner. In two other cases boards which were dissatisfied with their health officers on probation not only removed the officers but also abolished the appointments and refused the department's offer to provide more suitable officers. These cases illustrate the difficulties which officers working under local boards are apt to experience. Vaccinators are entirely subject to the control of the boards in such matters as appointment, discipline, etc. But in the discharge of their professional duties they work under the medical officer of health or, where there is no such officer, under the civil surgeon, whose recommendations should carry great weight. The director observes, however, that there have been innumerable instances of direct interference by the chairmen and members of boards in the work of the vaccinators and of their refusal to act on recommendations of the technical officers. Very scant regard is in fact paid to professional advice to which bodies with more experience and less sensitive in regard to their powers, rights and privileges would attach great weight.

Co-operation with the department.

264. It would not have been unreasonable to expect that even if unable to initiate schemes themselves boards would have been ready to co-operate with the Public Health department in carrying out well-considered schemes for the amelioration of local conditions. Even in this they have so far failed. Only two district boards out of forty-eight were willing to bear as much as half the cost of the district health service; only five as much as one-third of the cost, which in an average district would have involved an expenditure of only Rs. 7,500 with the result that in twenty-one districts Government had to introduce the system at the expense of the general tax-payer. The districts to which the scheme has not yet been extended are no more ready to contribute towards it. Furthermore, even some of those boards for which Government is bearing the whole cost have shown little inclination to support the scheme by providing minor facilities such as office and godown accommodation for the medical officers of health and their equipment. This difficulty has become so acute that the director has had to approach Government for further funds to provide separate accommodation. Many boards have shown similar apathy towards the hygiene publicity bureau by ceasing to contribute the paltry sum of Rs. 200 towards its cost, though they have no other agency for hygiene propaganda and are entirely dependent on the bureau for this form of activity.

Summing up.

265. The attitude of the local boards to public health matters reveals the same weakness as the boards have shown in other directions. Unable to advance without additional funds, they have not had the courage to impose taxation; they have in fact been unwilling to pay for progress; they have also failed to co-operate with Government and to make the most use of the highly skilled officers placed at their disposal by Government; they have shown a tendency to interfere in executive matters and to hamper technical officers in their professional duties. While, however, boards generally have failed, it is satisfactory to be able to record that at least one important board as a whole and the chairmen of some other boards have shown a real desire to work for the improvement of the public health of their areas and have co-operated heartily with the department. Among the chairmen of such boards have been some who have not allowed their own political views to prevent them from co-operation with Government for the good of the people, and if they have not been able to show results commensurate with their own individual efforts, this has been due to the opposition of the board members.

266. The ministers in charge of the affairs of the department have been Pandit Jagat Narain, Raja Parmanand and Rai Rajeshwar Bali. The department has been fortunate in having had as its director since 1919 Lieut.-Colonel C. L. Dunn, who has shown much initiative and energy in developing public health administration in the province and laying sound foundations for future progress. He has from the first realized the need for keeping in close touch with the members of the legislative council as well as with the minister, with whom his relations have throughout been satisfactory. Rai Rajeshwar Bali pursued a policy of cautious advance and invariably refused to move till himself convinced, but once convinced he used all his influence with the legislative council to obtain the adoption of his policy. He took great interest in the department's work and himself initiated schemes for the improvement of pilgrim centres and village sanitation, and also assumed responsibility for rejecting or modifying other schemes which he considered impracticable. The ministers and the department.

267. In conclusion it is desirable to point out two important issues which arise from a consideration of public health administration in this province and which must be faced, though this Government is not at present in a position to express any considered opinion in regard to them. The issues are :— Two important issues.

- (1) Has the provincial Government retained sufficient control over local bodies to ensure a reasonably efficient administration, and
- (2) should the Government of India have wider powers in regard to public health so as to ensure that each province maintains a reasonably efficient administration and does not endanger the health of other provinces?

It is a fact that under the provisions of the present District Boards and Municipalities Acts in this province these bodies are, in the matter of public health, more independent than similar local bodies in England, and Government have less power of interference. Provisions which are optional in this province are compulsory in England. The officers of the Local Government Board and the Ministry of Health have greater powers than officers of the department of Public Health and can direct that certain essential measures must be carried out even if these involve an increase in local taxation. It is possible that the failure of local boards in this province has been due to too heavy a burden of responsibility having been

placed upon them. The second issue raises the question whether for the purposes of public health India should not be treated as one country instead of as a collection of provinces. In existing conditions the good work of a province with an advanced system of public health administration might be rendered nugatory owing to its proximity to a province with a less advanced system. Furthermore, there are at present no means of preventing pilgrims from cholera-infected areas leaving these areas and spreading cholera throughout the country. This province is a centre of pilgrimage, and for that reason particularly interested in control over pilgrims. A careful record of the primary cases of cholera at a certain large fair in this province has been made for the last nine years and has shown that infection has each year been brought from outside the province, generally from Bengal. This Government have recently been in negotiation with the Governments of two provinces with a view to securing concerted action. One of these Governments was willing to co-operate, but the other was not so accommodating. It is therefore a question whether the Government of India should not be invested with wider powers.

STATISTICAL APPENDIX.

TABLE A.—The departmental budget (in lakhs) (excluding that of the Engineering branch and excluding grants and loans to Improvement Trusts).

	1920-21.	1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.
	3.95	5.81	6.69	7.89	6.51	8.36	9.58	9.69

TABLE B.—Growth of expenditure (in lakhs) on important branches or activities.

	1920-21.	1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.	1927-28.
(i) Malaria	0.02	0.47	0.43	0.38	0.32	0.40	0.33	0.41
(ii) Hygiene Institute .. .. .	..	0.14	0.24	0.30	0.27	0.35	0.30	0.42
(iii) Anti-epidemic	0.60	0.60	0.63	0.61	0.36	0.33	0.59	0.83
(iv) Municipal health service .. .. .	..	..	..	..	0.39	0.23	0.39	(a) ..
(v) Rural health service .. .. .	..	..	0.09	0.34	0.77	1.93	2.43	2.29
(vi) Travelling dispensaries .. .. .	..	..	..	..	1.10	1.28	(b) 2.00	1.48
(vii) Allotments through Board of Public Health	5.00	8.14	6.76	3.70	3.62	3.35	5.49	4.56
(viii) Additional grants	1.45	4.25	6.10	9.15	2.10	5.50	2.68	3.50
(ix) Contributions to panchayats	0.01	0.05	0.30	0.31	0.38	0.46	0.47	0.38

NOTES.—(a) This was amalgamated with the rural health service.

(b) Abnormality due to the Hardwar fair of 1927.

CHAPTER X.

IMPROVEMENT TRUSTS.

**Nature of
their work.**

268. It is possible to regard the Improvement Trusts partly as agents for the Public Health department for improvement in the cities of Lucknow, Cawnpore and Allahabad, and partly as units of local Government performing duties which in other cities and towns are carried out by the municipal boards. The three Improvement Trusts have as a departmental arrangement been under the control of the Minister for Public Health and not the Minister for Local Self-Government.

**Their
history.**

269. The report of the Plague Committee of 1905 initiated a long series of discussions as to the best means of opening up the congested areas in the three cities of Lucknow, Cawnpore and Allahabad. In 1909 the discussions resulted in placing this work under the municipal boards by special trust deeds and the construction of certain large roads through congested areas was undertaken. From the first it was recognized that very little would be accomplished if large grants were not made from provincial revenues. The legislation of Bombay and Calcutta was repeatedly examined, but the Government always arrived at the conclusion that no form of local taxation for improvement purposes was practicable. In 1919 the momentary prosperity of the country after the war led to still larger schemes of improvement and the Improvement Trust Act was passed constituting trusts as separate bodies from the municipalities. The Act followed the Bombay Act on general lines, but it made no provision for taxation. It was decided that the trust should acquire the property which came within the scope of the work of improvement and should then sell that property outright in order to obtain immediately the betterment value, and with this to finance the further operations of the trust. The elaborate discussions and consultations of opinion before this legislation was introduced from a striking contrast to the course of legislation after the Reforms.

**Constitu-
tion.**

270. The constitution of the trust was intended to secure close relation between its work and that of the municipal board, but it has not in practice prevented friction between the

two bodies. The municipal boards are represented on each of the trusts by the chairman and two elected members. The Government nominate one Government servant, who is usually the collector of the district, and three other trustees. There is therefore a nominated majority. The chairmen of the trusts are appointed by the Government. In the earlier years of the working of the trusts the chairmen at Lucknow and Cawnpore were members of the Indian Civil Service, but now these bodies have non-official chairmen, as has always been the case in Allahabad.

271. The Improvement Trusts would have been helpless financially without assistance from the Government. They have depended on direct grants from provincial revenues, on loans for which no interest has been charged, and on the assignment to their management and for their benefit of State property in land and houses. These resources have been supplemented by the sale at betterment values of the land which the trusts have from time to time acquired. It cannot yet be said that the trusts are self-supporting. Each of them holds considerable assets, but the value of these assets cannot be completely realized for many years, and no trust is able at present to repay the loans which it has taken from Government, or even to pay the interest charges. Financial resources.

272. The trusts have not been popular locally. Their operations involve the expropriation of old established residents and the disturbance of custom. In Allahabad the criticism was intensified at first by personal hostility to the then chairman, and has subsequently taken a communal form. The Muhammadan inhabitants of areas which were to be improved sent memorials to Government, the general line of which was that the Hindu majority on the trust were devoting their attention solely to the improvement of quarters inhabited by Muhammadans; whereas there were many quarters inhabited mainly by Hindus the condition of which was fully as insatiable. Government did not agree that there was any communal bias in the action of the trust, but there can be no more striking commentary than these memorials afford of the popular attitude towards town improvement. On the other hand, enlightened opinion has throughout supported Government's efforts for improving the towns and the way in which non-officials have undertaken the onerous and thankless duties of chairman without receiving remuneration, and tried their best to do them justice is worthy of notice. Local feeling.

273. There has been criticism in other quarters and on other lines. There has undoubtedly been some opposition in Attitude of the Legislature.

the legislative council to the allotment of large sums of money for work in the urban rather than the rural areas. The trusts began their work on the extravagant lines which seemed justified in the short-lived prosperity of 1919. They locked up their capital in machinery and offices on a scale which could only be justified if the initial scale of expenditure was to be permanently maintained. But the state of the provincial finances soon made it impossible to continue the large grants and unproductive loans. The trusts were severely criticized in the budget debates in 1924.

**Committee
of inquiry.**

274. In July, 1924 a committee of inquiry was appointed in a resolution in which the Government gave the following summary of the financial history of the trusts :—

“It was recognized that the operation of the trusts would require the expenditure of large sums, which it was hoped could be furnished partly by Government in the shape of grants and loans and partly by the trusts themselves out of the proceeds of their own operations. The event has largely falsified this hope. The trusts were not stinted at the outset, but latterly owing to the pressure of other demands Government have been compelled to reduce drastically the amounts annually provided for them. Simultaneously the trusts have achieved but moderate success in developing sources of recurring income, and though they all own property of great potential value, the realization of these assets cannot be hurried if they are to be disposed of to the best advantage. The trusts thus present a financial problem which causes Government very serious concern . . . The limitations upon possible solutions of the problem are primarily financial . . .”

The committee found that the trusts “had already effected considerable changes for the better in these cities,” but that criticism was not altogether unjustified. In regard to the allegation that the Cawnpore trust had devoted far less attention to the improvement of the congested parts, the committee found that the responsibility for comparative inaction in this direction lay not only with the trust but also to some extent with the municipal board. It proposed that “in any case the removal of congestion in these areas should most certainly proceed *pari passu* with the external expansion of the town.” Its general recommendations were :—

- (i) that the trusts be continued with (a) honorary non-official chairmen and (b) competent executive officers;

- (ii) that their engineering activities should be placed under the control of the Public Health department;
- (iii) that the trusts should pay more attention to working-class houses in Cawnpore and to the re-housing of the dishoused and also to internal improvement;
- (iv) that loans of twelve to sixteen lakhs and a grant to Allahabad of one lakh should be made in the next five years, and that in order to enable the trusts to complete their allotted work, eleven and a half lakhs of the Cawnpore loan should be written off.

Government in the main accepted these recommendations, though they did not give effect to no. (ii), principally because the Cawnpore and Allahabad trusts desired to retain their engineers in preference to their executive officers.

275. The trusts cut down the ambitious programmes prepared in the prosperous days immediately after the war and effected economies in their establishments. They dropped schemes that were beyond their means. The financial position was made clear, though no decision was arrived at as to whether the loans should or should not be converted into grants, and they were assured of sufficient resources to proceed slowly but steadily on clearly defined lines. Their subsequent work on these lines has not been spectacular, but has been of more general utility. Remedial action.

(3) Departments in charge of the Minister for
Local Self-Government.

CHAPTER XI.

LOCAL SELF-GOVERNMENT

A.—URBAN.

I.—HISTORICAL.

276. Many authorities assert the existence of an organized system of local self-government in ancient India. The urban council of Patna, carrying on its administration through sub-committees, is believed to be typical of the system in force. Dr. Mukerjee, a well-known authority, on the subject sums up the position by stating:—"Government was multi-central; local liberty and not over-government was the rule." This system was in course of time supplanted over the major portion of the country. The centralizing tendency of the later Hindu empires (reinforced in Muhammadan times by differences of race, religion and culture) by slow degrees encroached on it; but in an attenuated form it still persisted throughout the period of Muhammadan domination. Its almost complete disappearance is a comparatively recent culmination of tendencies which have been in operation for centuries. So late as 1832 Sir Charles Metcalfe explained the theory and practice of the village communities working through their executive—the village *panchayats*. Early history.

277. Modern local self-governing institutions in India, however, derive their authority from the State. Historically and structurally they are exotics imported from abroad. Early British rule not only inherited, but even applied with more vigour than before, the tendency on the part of the State to encroach on the self-governing units whether vocational, communal or territorial. Outside the presidency towns there was no attempt at municipal legislation before 1842. In 1850 municipal administration was permitted on a voluntary basis; Under British rule.

taxation was indirect. About twenty years later a large number of municipalities were created. The election of municipal commissioners was permitted, but in fact in these provinces the nomination system continued. As a measure of local self-government these pioneer attempts did not go very far, but they served to improve urban sanitation. Not before Lord Mayo's time was it recognized that local interest and supervision were necessary to success in education, sanitation, medical relief and local public works. An attempt was made to extend the elective principle, but in these provinces the experiment was not strikingly successful. The evolution of local self-government was accelerated by Lord Ripon's Government. The constitution, powers and functions of municipal boards were altered. The elective system was widely extended and elected chairmen were permitted in many towns. Provision was made for the increase of municipal functions and resources. The maintenance of the town police ceased to be one of their duties. The two basic principles of local self-government, viz., independence and responsibility, were thus accepted and applied. But even this generous attempt to give reality to municipal boards failed to achieve the intended degree of success. The principles were sound, but the local bodies were ill equipped with funds. Interest in local affairs and capacity to handle them could not be created in a few years. Meanwhile, the country's material needs were growing at a much faster pace, and the educative principle was therefore, in effect, subordinated to immediate tangible results. The rural boards and many of the urban boards continued to have official chairmen and to be in practice so many petty government departments.

**Modern
develop-
ments.**

278. Hence in 1915 Lord Hardinge's Government reviewed the position and published their conclusions. For municipal boards the time was considered ripe for granting non-official chairmen, elected majorities, further freedom in regard to taxation and budgets and enlarged control over the establishment. The U. P. Municipalities Act of 1916 was a result of this resolution; it is still in operation. Other urban units continued to be governed by specified portions of the Municipalities Act and smaller or less important ones by the Town Areas Act (1914). Yet the country's financial system was highly centralized. The Government of India controlled the resources and the reserves of taxation necessary to endow local self-government with vigour and reality, and the initiative therefore continued to be with the central Government. The 1915 resolution remained comparatively ineffective. The

Report on Indian Constitutional Reforms summed up the position as below and adduced it as one of the strong reasons for devolving on provincial Governments more extensive powers, especially financial.

“While within town areas elected town council control the administration of their roads, schools, drainage, conservancy, lighting, and the like, the district officer is still at hand as a stimulus and a mentor; and in the more backward district boards he still plays an important part, because as chairman he directs the executive agency of the board. Rural education, dispensaries, sanitation, country roads, bridges, water-supply, drainage, tree-planting, veterinary work, pounds, fairs, ferries, sarais and the like are all matters which, to a great extent, he still administers, not primarily as a servant of Government but on behalf of, indeed in some provinces as the formally elected president of, a popular body; and the commissioner above him exercises considerable supervision over the boards' proceedings.”

Under the Government of India Act local self-government is a transferred subject in charge of a minister responsible to the council.

279. A Town Improvement Act was passed in 1919 and improvement trusts were set up for Cawnpore, Lucknow and Allahabad. They have a majority of non-official members and their present chairmen are non-official. They are, however, local self-governing units in only a narrow sense. They deal not with the Minister of local self-government but with the one in charge of public health; they can be claimed to be special bodies created and largely financed by Government with the object of dealing with the improvement of the large towns. For details see chapter X.

II.—MUNICIPAL BOARDS.

(i) Structure.

280. The municipal population of the province, numbering a little less than three million, mostly lives either in a multitude of petty townships or in a few very large cities. Towns of medium size are comparatively rare. Twenty-two per cent. lives in forty-eight towns with less than 20,000 inhabitants, and another fifteen per cent. in sixteen towns of between 20,000 and 40,000 each. On the other hand, the six large cities with populations of over one lakh contain thirty-five per cent. of the municipal population. This curious phenomenon, due partly to the essentially agricultural

character of the province and partly to the fact that some of the cities are of historical importance, not only emphasizes the part, important in the aggregate even if individually inconspicuous, which the small municipalities play in the urban life of the province, but also brings out in some relief the individually important role of the six cities.

Constitution.

281. The local Government have power to declare by notification any local area to be a municipality. Every municipality with a population of 100,000 or more is *ipso facto* classed as a "city," but the local Government can by notification declare municipalities with even smaller populations to be cities. There are at present eighty-five municipalities of which ten are cities (including four with a population of less than 100,000 inhabitants each). The municipal boards are bodies corporate having a perpetual succession and a common seal and vested with the capacity of suing and being sued, and of acquiring, holding and transferring property and entering into contracts. Each board consists of an elected or nominated chairman, a prescribed number of elected members and a certain number of members nominated by name or by virtue of office. Where the law provides for separate elective Muhammadan or non-Muhammadan representation (as it does in the case of most boards), the local Government's power to nominate is restricted to two members. This power used to be delegated to commissioners but is now exercised direct. Government have the power of varying the composition of a board not already normally constituted; in fact Naini Tal is the only board to which this power is now applicable.

Local and class representation.

282. The 1916 Act incorporates a provision empowering the local Government to prescribe (a) the division of a municipality into wards in order to secure local representation, and (b) the provision to be made for the special elective representation of classes. Only two classes—Muhammadans and non-Muhammadans—are entitled to separate representation on religious grounds; the Act contains provisions for *weighting* it in favour of the minority community. Apart from these two classes no other class enjoying separate representation can ordinarily be assigned more than two elective seats on a board. Under the rules at present in operation, the Marwari electors of Cawnpore and the European electors of Lucknow elect two each, and the railway employees living in the civil lines of a small municipality which contains an important railway junction elect one. The European electors of Dehra Dun elect five of the sixteen elected members. All the elected members of the municipal boards of Mussoorie

and Naini Tal are elected by special electorates. The 1916 Act contains no provision (corresponding to that incorporated in the District Boards Act of 1922) restricting the Government's power of nomination so as to enable a member of the backward and depressed classes to be ordinarily selected. Of the one hundred and thirty-seven members nominated by Government thirty-one belong to such classes and eighteen others were nominated to represent them.

283. The table below gives particulars about chairmen and members for the year ending March 31, 1927 :—

Composition.

Number of boards.	Chairmen.			Members.			
	Non-official.		Official nominated.	Ex-officio.	Elected.	Nominated.	Total.
	Elected.	Nominated.					
85	75	5	5	2	945	180	1,127

Of the 1,127 members, twenty-six were officials, and the rest non-officials. Fifteen boards had in all thirty-eight European members. Only on one board did they form a majority, and on two others important minorities.

Some of the cities have large boards. Cawnpore Allahabad and Lucknow have thirty-six members each. The non-city municipalities have much smaller boards; none exceeds twenty and a number of the smaller ones have only seven each. The rest range between these limits.

284. The 1916 Act laid down the qualifications for municipal franchise. But a private bill (supported by Government) which became law in 1922 reduced certain categories of municipal electoral qualifications to the level of those required of electors to the legislative council. As the law stands at present, the following classes of persons can be enrolled as electors :—

- (a) those assessed directly and on their own account to municipal taxes (other than octroi or toll or a similar tax) of a certain minimum aggregate value.
- (b) those who having for a period of not less than twelve months preceding a date to be fixed by rule resided within the municipality, are, on that date, (i) graduates of any university, or (ii)

payers of income-tax, or (iii) owners or occupiers of a house or building within the municipality of a prescribed minimum annual value, or (iv) in receipt of a certain minimum annual income, or (v) owners in their own right of land in respect of which a prescribed minimum land revenue demand (including that nominally assessed) is payable, or (vi) tenants of land liable to pay a prescribed minimum annual rent.

The qualifications specified in (b) (ii) to (b) (vi) are not applicable unless made applicable by rule. Similarly the amounts in qualifications (a) and (b) (iii) to (vi) are fixed by rule. The qualifications and the prescribed amounts vary in the different municipalities; in the case of taxation the minimum varies from Rs. 2 to Rs. 36, in the case of annual value of a building from Rs. 3 to Rs. 300 and in the case of annual income from Rs. 16 to Rs. 120. The present municipal franchise is, *mutatis mutandis*, similar to and in some respects lower than that for the district boards. Though in some towns it is restricted as that for the legislative council, in a majority of towns it is somewhat more liberal.

Disqualifications.

285. Persons below twenty-one years of age or of non-British domicile, undischarged bankrupts, those adjudged insane or sentenced to imprisonment for a term exceeding six months or convicted of offences declared by Government to imply such moral turpitude as to render them unfit for the franchise or ordered to find security for good behaviour, and persons in arrear in the payment of specified categories of municipal dues are disqualified from the franchise.

Candidates.

286. The law prescribes separate electoral rolls for wards (if the municipality is divided into wards) and for the classes entitled to special elective representation. Subject to the restriction that a member representing a ward or a class shall be elected by electors on the roll of the ward or for the class concerned, every person enrolled as an elector in the municipal roll is qualified to seek election. But stipendiary magistrates, police officers and persons dismissed from government service or debarred from legal practice or in the boards' service or disqualified on account of corrupt practices or of removal from the boards' membership are disqualified from seeking election.

Members.

287. The normal term of office is three years. Members are normally eligible for re-election or re-nomination. No member can be allowed any remuneration by the board except with the local Government's sanction. (The power of granting

sanction has been delegated to commissioners of divisions.) But no such sanction can be given in favour of a member-secretary. For their removal from the board, *vide* the section on external and internal control.

288. No salaried servant of Government other than a government treasurer can be elected as chairman. Certain boards still have nominated chairmen. In case of default in the election of a chairman, the local Government in the case of a city board and the commissioner in other cases can nominate one. He is eligible for re-election or re-nomination, but for election beyond two successive terms the local Government's sanction must be obtained. The electoral chairman can be, and often is, an outsider, but during his period of office he enjoys all the privileges of membership. His duties and his liability to removal for habitual failure to perform his duty and when he loses his board's confidence are described later. Every board must elect from among the members a vice-chairman or a senior and a junior vice-chairman; his term of office is only one year. The senior vice-chairman is usually a member of the chief minority community, except in cases where the chairman himself belongs to a minority community.

289. The statute lays down the boards' functions under two classes--obligatory and discretionary. **Functions.**

(a) *Obligatory*.—These comprise the lighting and watering of public places and streets, cleaning of public streets, places, drains, etc., regulation of offensive, dangerous and obnoxious trades and practices, removal, in the interests of public safety, health or convenience, of undesirable obstructions and projections, securing or removal of dangerous buildings or places, maintenance and regulation of places for the disposal of the dead, construction and maintenance of public streets, culverts, markets, slaughter-houses, drains sewers, latrines and other public works, aborigiculture along the roads and in other public places, provision of wholesome water and guarding it from pollution, registration of births and deaths, maintenance of a system of public vaccination, provision of medical relief by establishing or supporting hospitals and dispensaries, maintenance of primary schools, rendering assistance when fires break out, management of property vested in or entrusted to the boards and submission of the prescribed reports and returns. The Act prescribes a minimum scale of expenditure on primary education, viz., five per cent. of the normal income from all sources other than special services like water-supply, electric-supply, etc.

(b) *Discretionary*.—Their discretionary functions cover extensive ground, viz., laying out of new public streets, maintenance of parks, museums, libraries, rest-houses, poor-houses and other works of public utility, reclamation of unhealthy localities, encouragement of education, census and vital statistics, survey, the undertaking of relief works on the occurrence of local calamities, confinement or destruction of stray dogs, securing sites for certain specified trades, disposal of sewage, construction or subsidization of tramways and electric lighting and power works, holding fairs and exhibitions, and adoption of other measures for promoting public safety, health or convenience. A board can, with the commissioner's sanction, make provision for the extension beyond its limits of the benefits of any municipal undertaking; the extension of municipal water-supply to a cantonment is, however, subject to the Governor-General in Council's previous sanction.

The important functions in fact undertaken are street-lighting, cleaning and watering of roads, general conservancy, vaccination, public health work, medical relief, markets and slaughter-houses, arboriculture and gardens, construction and maintenance of roads and other public works, and education.

Executive.

290. Unlike the post-reform legislation reconstituting the district boards, the Municipalities Act contemplates that normally the municipal boards should not directly exercise administrative functions. Broadly speaking, their position as envisaged by the Act is that they are advisory and controlling bodies working through an executive. The reconstituted district boards were, on the other hand, set up as normal units for direct administration. Hence the following important differences :—

(i) The District Boards Act contains no provision for the appointment of executive officers. Any municipal board on the other hand can appoint an executive officer and in the case of the city boards the local Government can even require one to be appointed. (They can similarly require a city board to appoint a health officer, an engineer, and a water-works engineer or superintendent.) The appointment, salary and other conditions of service of an executive officer are subject to the local Government's approval. A board can punish or dismiss him, but he has a right of appeal to the local Government. The Act prescribes certain functions of a board which can only be discharged by him and not otherwise. All the employees of a board (except the educational staff) have by an express provision of the Act been subordinated to him.

(ii) The chairman's powers over the district board's staff—even the subordinate staff—does not extend beyond the “determination of questions arising in respect of the service, leave, pay, privilege and allowances.” The chairman of a municipal board has, however, been invested with wider statutory powers (which can only be exercised by him and not otherwise) over the board's staff, viz., the appointment of temporary servants in cases of emergency and the appointment, dismissal and punishment of the permanent inferior staff.

(iii) The law permits the municipal boards to appoint committees to work in subordination to themselves, and to delegate functions to such committees. Non-members can be appointed to serve on them. The Act contains provisions for the appointment of joint committees of municipal boards and other local bodies for the furtherance of joint interests. While this statutory recognition of, and optional delegation of functions and powers to, committees is a feature common to both the Acts, there has in practice been a substantial divergence. Many of the undesirable developments of the attempt to rear local self-government in the rural areas are traceable to the faulty conception of the district boards as normal “administrative units,” and to the failure of the intention of the framers of the Act about the smaller *tahsil* committees to materialize. In the case of the municipal boards, on the other hand, no committees on a territorial basis were needed. Hence municipal boards have on the whole tended to decentralization of work by the appointment of departmental committees. Such committees have as a rule been set up to deal with finance, education, conservancy and lighting, public works, public health and octroi where it is in force.

By an amending Act of 1926 the boards are now empowered to delegate powers, duties or functions to certain classes of government servants, viz., civil surgeons, medical officers in charge of hospitals and dispensaries, medical officers of health, and deputy and sub-deputy inspectors of schools. These also thus form a part of the boards' executive; but so far as can be ascertained no such delegation in favour of government servants has yet been made.

291. The law has endowed municipal boards with more extensive financial powers, and they can regulate their sources of income to meet their necessary expenditure to a far larger extent than is possible for even the reconstituted district boards. They have a wide choice of taxes—octroi, terminal tax, terminal toll, taxes on houses and lands, pilgrims, trades

**Powers of
taxation.**

and professions, circumstances and property, animals and vehicles, animals for slaughter, the supply of water and electrical energy, scavenging and cleaning of latrines and privies, dogs, lake frontage and boats, tolls on roads and ferries, etc. The power to impose taxation is, however, subject to specified restrictions. Thus, a tax on trades and callings *in general* (as distinguished from the tax on such of them as are carried on within municipal limits and derive a special benefit from or impose a special burden on municipal services) cannot be imposed at the same time as the tax on circumstances and property. Similarly octroi cannot be levied along with a tax on imports and exports. The proceeds of the tax on scavenging and for the cleaning of latrines must be spent exclusively on those objects, and the board must render the service in question to each house or building on which the tax is assessed. Water-tax is also subject to similar restrictions. The imposition of a tax on imports or exports requires the Governor-General's sanction unless it is to replace an already existing octroi. Any other tax can be imposed provided the local Government's sanction is confirmed by the Governor-General in Council. The commissioner of a division has power to sanction, reject or modify a non-city board's proposal to impose a tax (other than one on imports and exports); the local Government have the same power in respect of a city board's proposal to impose any tax and of any board's proposal to introduce a tax on imports and exports. If the local Government consider the levy of any tax to be contrary to the public interest or its incidence to be unfair, they can require the board to remove the defects in the tax or the method of its assessment or collection, and, in case of non-compliance, can reduce, suspend or abolish it.

**Sources of
revenue.**

292. Income from taxation is more than two-thirds of the boards' total income. About twenty-two per cent. is revenue derived from municipal property and powers apart from taxation. Fines on impounded cattle, licence fees levied on hackney carriages and for the sale of spirits and drugs and other realizations under special laws yield a little less than two per cent. Grants and contributions form almost a negligible fraction. In 1924-25 the proportions were 94½ : 5½ and in the next year 91 : 9. This position presents a strong contrast to the present financial position of the district boards, with their almost inelastic local resources and their dependence on grants from the Government not only for meeting their new needs but even for financing over forty-five per cent. of their present expenditure.

293. The main recurring heads of expenditure (with the Main heads of expenditure. percentages of total expenditure for the year 1925-26 shown in brackets) are:—general administration and cost of collection (eleven per cent.), conservancy (sixteen), roads (eleven and a half), education (ten), lighting (seven), public health (three), medical relief (two and a half), water-supply (nine), drainage (two) and contributions (less than three). “Public safety, health and convenience” absorbs about sixty-two per cent. and lighting seven per cent. of the total expenditure. Taxation yields two-thirds of the total municipal income; thus, broadly speaking, the urban public directly pays for almost all the major municipal amenities except education, and grants from provincial revenues do not even cover the full cost of education. (Many of the municipal taxes are, however, such that their incidence can be and is shifted to the residents of the rural areas who have to utilize the markets established within municipal limits for their buying and selling.) In this respect too the position of the district boards presents a striking contrast. Education absorbs nearly fifty, roads nearly twenty and medical relief and public health work about thirteen, per cent. of their total expenditure. The local Government’s grants meet a larger proportion of the cost of these services (nearly three-fourths in the case of education, one-fourth in that of roads and one-third in that of medical and public health). Thus, except in so far as the incidence of municipal taxation is shifted to the rural areas, the urban public of these provinces cannot now be said to be enjoying municipal amenities at the expense of the countryside.

294. In the municipal financial system direct taxation System of taxation. has been losing ground to indirect. The former used to be the Government’s objective about twenty-years ago. An important committee recommended its extension but it realized that the larger towns could not be financed on the basis of direct taxation. Hence direct taxation was substituted for octroi only in those small towns where the theoretical objections to octroi were less serious. Government had to abandon the idea of abolishing octroi in the larger towns and could do no more than replace octroi by a terminal tax—a form of indirect taxation with some administrative advantages. The merits of direct taxation were again urged recently by the Taxation Inquiry Committee, but Government have realized that it is even less possible to substitute direct for indirect taxation now than it was twenty years ago. No minister responsible to the legislative council could venture to put forward proposals which, however well justified in theory, are

so definitely opposed to the tradition and wishes of the people.

External control.

295. Government have somewhat wider minor powers of control over municipal than over the reconstituted district boards; generally speaking, however, the powers are analogous. If a board persistently defaults in the performance of its duties or exceeds, or abuses its powers Government can dissolve or supersede it for a specified period. In either case, the members vacate their offices but are eligible for re-election or re-nomination. If the board is superseded, an authority appointed by the local Government performs its duties, but when it is re-established, it must be re-established with the same constitution as to elected and nominated members as it possessed prior to its supersession. In case of default in performing a duty imposed by any enactment, the local Government in the case of a city, and the commissioner in other cases, can fix a period for its performance, and if the board fails to perform it within that period, the district magistrate can be appointed to perform it at its expense. The commissioner or (when he is not a member) the district magistrate is within his jurisdiction authorized to inspect, or cause to be inspected, a board's immovable property and works in progress, to call for papers, statements, returns and reports relating to its proceedings or duties, and to record his observations for its consideration.- Such officers as the Government appoints can inspect a work or institution constructed or maintained, in whole or in part, at a board's expense, and all relevant registers and other papers; the superintending engineer, the director and deputy directors of public health, and all civil surgeons, executive engineers and inspectors of schools have been so appointed. Besides, the commissioner or the district magistrate has the power by an order in writing to prohibit the execution of a resolution or order of a board or of any committee or officer of the board, if in his opinion such resolution or order is of a nature to cause or tend to cause public obstruction, annoyance or injury or danger to human life, health or safety or a riot or affray; the board can be required to take action in conformity with the order. In the case of city municipalities the local Government have to be immediately informed of any such action taken; they can rescind or modify the order. The commissioner has the same powers in respect of a district magistrate's orders relating to non-city municipalities. In case of emergency the district magistrate has the power to take such action at a board's expense as the board is entitled to take, provided he considers it necessary for the

safety or protection of the public; all such cases have to be immediately reported to the commissioner.

296. The local Government have the power to remove a chairman from his office on the ground of habitual failure to perform his duty or of failure to submit his resignation when called upon by his board to do so (see below). The local Government in the case of a city, and the commissioner in other cases, are empowered to remove a member for (a) absence from three consecutive meetings, (b) undischarged insolvency, (c) order to find security for good behaviour, or imprisonment under a criminal court's sentence for a term exceeding six months, (d) deliberate acquisition or continuance, without the commissioner's permission in writing, of any share or interest in any contract or employment with the board; (e) deliberate action as a member in any matter (except certain specified ones) in which he had directly or indirectly a personal or a professional interest on behalf of a client, principal or other person, or (f) appearing as a legal practitioner against the board or (in respect of state property entrusted to the board's management) against the Secretary of State. Against the commissioner's order under (d), (e) and (f) an appeal lies to the local Government. The local Government also possess the power of removing a member who in their opinion has so flagrantly abused his position as to render his continuance as a member detrimental to the public interest. The Act lays down the disabilities attaching to the members removed under these various provisions. There are numerous minor powers of control vested not only in the local Government but also in the commissioners and the district magistrates. In general they correspond to the powers described in the memorandum on the working of the district boards.

Removal of
chairmen or
members.

297. Apart from the triennial general elections, the electorate has no formal control over its board; the municipal law has no provision for the "initiative" or "the referendum." It is not, however, unusual for men dissatisfied with the board's conduct to express their views at public meetings and in other informal ways to influence it. In some towns there are even rate-payers' associations. The enactment of a private bill in 1926 now enables a board, subject to compliance with the prescribed formalities, to call upon its chairman, other than a chairman *ex officio*, to resign, and empowers the local Government to remove him if he fails to comply. (The formalities are that a vote of non-confidence must be passed by a majority consisting of not less than one-half of the members

Internal
control.

for the time being and a resolution calling on him to resign must be adopted by a similar majority at a subsequent meeting held not less than three weeks nor more than three months thereafter.)

(ii) *Working.*

Elections.

298. The keen contest, which in the larger municipalities characterized every general election since the 1916 Act came into force, marked both the general elections since the inauguration of the Reforms in the smaller ones also. The contests in 1923 were, however, unprecedentedly keen, and a good deal of new blood was let in. Nine boards were composed almost entirely of *swarajists* and on eight boards *swarajists* and others were evenly matched. On many other boards they formed an influential minority. Their ambition was not, however, confined to capturing the municipal machinery and exploiting it for semi-political purposes. A desire to make a success of local self-government was no small element in their determination to enter the lists. Allahabad returned a gifted lady member—the first in the history of these provinces. Some contests were marked by caste or communal feeling; but the dominant note was political and not communal. Few election petitions were successful. The contests at the next triennial elections were almost equally keen. A marked feature was the revulsion of feeling against the *swarajist* party with its semi-political ideals and programmes. Although the number of successful election petitions was a small proportion (nine out of sixty) of the total, it did not mean that the elections were on the whole fairly conducted. The Act extending the franchise by reducing it to the level of that for the legislative council did influence the results of the 1923 elections though not to the extent anticipated. Government came to the conclusion that the return of the *swarajists* was due both to the lowering of the franchise and the political atmosphere then prevailing in the country. Irregularities and even malpractices in the preparation of the electoral roll came to light. New rules have just been published assimilating them to those in force for elections to the district boards. An agitation has already grown up against these rules, on the alleged ground of Government's encroachment on the powers of the municipal boards. In view of the Statutory Commission's inquiry into the growth of self-governing institutions, even Government's *bona fides* has, here and there, been called into question.

299. The process of replacing official by elected non-official chairmen has continually gone on. In 1926-27 out of the eighty-five boards only five had nominated official and five nominated non-official chairmen. The peculiar circumstances of some boards, e.g., Naini Tal (the summer head-quarters of Government) explain why official chairmen are still considered necessary; in the case of one small board an official was nominated because of the board's failure to elect a non-official. In 1925-26 the important hill station of Mussoorie was permitted to have an elected non-official chairman; a European was elected. Most boards have elected two vice-chairmen, some of these belonging to the chief minority community. A few boards with a majority of Hindu members have elected non-Hindu chairmen. Recently a Muhammadan has been elected as chairman of the Benares municipality. Cawnpore had till recently, and Saharanpur still has, a Parsi chairman.

300. The provision in the 1916 Act for communal representation on religious grounds had been followed by a policy of boycott on the part of the Hindus in a few municipalities. In course of time this was abandoned. In Lucknow an amicable settlement enabled Government to raise the number of members. The conduct of business in the meetings has on the whole not been businesslike. The total number of meetings and the number of adjourned and abortive meetings have been and still are appreciably higher than before 1921. The increased frequency of meeting was not entirely due to the growth of work or of its complexity. Many of the boards elected when *swarajism* was prominent tended to mix up politics with local administration; their meetings became lively and more frequent. In many boards there was a deliberate imitation of council procedure including resolutions and questions. These was an almost unprecedented fall in the number of those which proved abortive for want of a quorum. But, apart from this abnormally stimulated interest, the main reasons for unnecessary and undesirable frequency were—ill-prepared agenda, discursive debates, undue interference in the details of administration, obstructive tactics and personal or party and here and there even communal strife. The Allahabad board has since 1923-24 held the record for the frequency of its meetings and another city board for its large proportion of adjournments. Some boards were, however, more businesslike, and managed to finish their business in a much smaller number of meetings. The difference due to the personal equation can be seen in the fact that the Cawnpore board needed no more than sixteen meetings in 1925-26 while

Meetings
and
attendance.

in the preceding years it had met thirty-three, thirty-nine, fifty-eight and sixty-six times. Individual members—sometimes busy men of affairs—were often to blame for meetings proving abortive.

Water-supply.

301. The attitude of the urban public and its representatives on the boards towards the policy of water-supply is to-day fundamentally different from that which led to riots at Benares towards the close of the last century. But, even to-day the number of towns with a water-supply system (viz., fifteen including three which have adopted it since 1921) is a very small proportion not only of the total number of towns in the provinces but even of municipalities. While the boards now show a more lively interest in the maintenance of a regular water-supply, their management has not, generally speaking, been sufficiently businesslike. Not all boards have adequately realized the importance of an efficient staff. The water-works used to be, and a majority of them are even now, run at a net loss. The more serious evils were and still are wastage due to unmetred or unrecorded connections or to the failure to secure evenness of distribution between high and low pressure zones, unfair taxation of those possessing metred connections and uneconomical purchase of fuel and stores for the water-works. In 1926 Government observed:—"The perennial problem of the prevention of waste of water again received little notice, nor was sufficient attention paid to the maintenance of complete and accurate records. In Benares there is no reliable plan of the distribution system and out of the twelve thousand odd unmetred connections nothing is known of more than two-thirds except that they exist. The sizes of the ferrules and the number of taps have never been recorded. This is a legacy from bygone years; but the board has declined to make the attempt although it is losing a large sum annually through undercharges. In Cawnpore the position is little better, and probably every board is losing a quite substantial sum in the same way." As a result of constant criticism by Government and of the advice offered by the Government water-works engineer most boards have for the last three years given some attention to the problem. One board appointed a special staff to check waste and another followed suit soon. The only board which has failed to make an effort commensurate with the gravity of its problem is Benares. Since 1925-26 the water-works as a whole are no longer a losing proposition. The surplus in that year was 23, but in the next rose to 3.13 lakhs. Up to 1923-24 only three boards were able to make any profit; in 1926-27 five

boards were left with varying surpluses. In spite, however, of this real and progressive improvement, there is still vast scope for more of it in some boards, notably Benares. Some water-works were reorganized during this period with the help of loans advanced by Government. The pre-reform policy of substantial grants from provincial revenues for the establishment of water-supply systems has been discarded.

302. While the popularity of piped water-supply has been growing, modern systems of water-borne sewerage are almost non-existent, and even drainage on modern lines is lagging behind. Most of the expenditure on drainage is incurred in six of the largest towns; Bareilly, however, is a notable exception. The average member of a municipal board has little idea of, and has evinced no great interest in, the systems adopted not only in the western countries but even in progressive Indian cities. **Drainage.**

303. Apart from the enormous rise in prices and wages which began in 1918 and went on for nearly four years, the rapid growth of heavy lorry-traffic (mostly passenger transport) imposed heavy and unexpected strain on municipal roads. By 1920 the complaint that they had deteriorated, especially in the large towns, was general. As in the case of the district boards roads were starved for the sake of balancing the budget. In 1921-22 Government advised the boards to "face the position squarely and to take steps to preserve their roads from ruin while it was still within their power to do so." But no appreciable improvement followed. While the cost of construction and repairing had nearly doubled, the expenditure had in the course of five years gone up by only about fifteen per cent. They are, however, now taking increasing interest in roads and are finding more money. The larger towns are considering schemes for replacing water bound macadam roads by asphalted ones. Lucknow and Cawnpore already possess a few such roads and the other larger towns are being advised to go in for them; many boards will, however, need a little training. No board has any reserve capital of its own, and Government are not in a position to make all the loans asked for by them. **Roads.**

304. In the matter of electric street-lighting these provinces have recently made rapid progress. Including six towns which adopted electric lighting since January 1, 1921, there are at present eleven, the lighting arrangements of which are satisfactory. (In the case of some of these hydro-electric power is also used for the pumping up of water.) But outside these towns street-lighting is still done by means of kerosene **Lighting.**

lamps. The boards realize the entirely unsatisfactory character of such lighting and the difficulty of obtaining an adequate return from their expenditure. Electric street-lighting is, however, out of the question for most of the smaller and many of the medium-sized municipalities, except where the irrigation department's enterprise is likely to provide it on reasonable terms. Fortunately this department has shown great initiative in this matter and has brought electrification within the range of practical politics for many small towns lying within a manageable distance from the places where electricity can be generated from the canals.

Medical relief.

305. The Municipalities Act does not contemplate the maintenance of institutions for medical relief as an obligatory function of the municipal boards; the law is satisfied if the boards *support* them. With the exception of a few, the hospitals and dispensaries situated within municipal limits have been district board concerns. The municipal contributions towards them—especially towards the cost of civil hospitals at the head-quarters of district—had already proved to be out of date and inadequate when the reconstituted district boards opened the question. In many cases amicable settlements could not be reached and Government had to frame a set of rules to determine the amounts of municipal contribution.

The controversy, however, is not yet over. Failing to secure a grant-in-aid from provincial revenues, the Allahabad municipal board has recently decided to close two hospitals—which not long ago it took over from the district board on the express understanding that it would maintain them. The board's plea is that its financial condition does not permit it to keep them going. This decision has given rise to some public agitation, and has not yet been carried out; its reconsideration is probable. The board's total medical expenditure did indeed grow from 2·12 lakhs in 1920-21 to 4·20 in 1926-27, but a large proportion of the increase was financed from government grants which grew from 0·35 in 1920-21 to 1·71 in 1926-27. There has been no appreciable change in the number of medical institutions. Some municipal boards have, however, gone in for dispensaries for medical relief on indigenous lines; most of these have all along been in receipt of subsidies from Government, and of their popularity there is no doubt.

Public health.

306. Conservancy is the biggest single item of expenditure in the boards' budgets. In 1926-27 it cost 24·22 lakhs. The arrangements are, however, old-fashioned. Vaccination is by law compulsory in the municipalities and the slight

growth of expenditure on that account was the result of improved rates of pay for the vaccinators. Some boards showed an inclination to regard vaccination as unnecessary and intended to reduce the staff, but Government fixed the minimum for each board. The expenditure on account of "health officers and sanitary inspectors" went up within the last seven years from 1.52 to 2.70 lakhs; but the real position is better than these figures indicate because the boards no longer contribute towards the pay, etc., of the superior staff which has been "provincialized" and placed under the direct control of the director of public health. The sanitary inspectors are still maintained by the boards at their own cost. The steady improvement of sanitary conditions as revealed by the figures of infantile cholera and general mortality has been referred to in the memoranda on the working of the public health and medical departments. The boards' share of the credit is not large. The great majority of them have shown no initiative, but they have generally shown readiness to follow the department's lead. In maternity and child-welfare in particular they are beginning to show real interest; they have generally done something to help this new movement. There are now thirty-three centres serving the urban areas and they are establishing their utility and popularity. The work is still largely done by officials, and even to-day not much actual progress can be claimed. But public interest has been aroused, and Government regard this as the first sure step towards its solution. Fifty-one hospitals have got arrangements for the training of the indigenous type of midwife. Similarly in the matter of tuberculosis—which in all the larger towns is a grave and apparently a growing menace—the education of the public has in co-operation with the boards and such private agencies as are available been undertaken in some of the larger towns.

307. The maintenance of schools for primary vernacular **Education.** education is one of the boards' obligatory and the furtherance of educational objects by other measures is one of their optional duties. In 1919 a private member's Bill enabling municipal boards to introduce compulsion in the case of boys became law. Meanwhile Sir Harcourt Butler's scheme for the expansion of primary education on a voluntary basis had been launched. No board was, however, in a position to find its share of the cost of applying it. In 1922 the municipal board of Cawnpore led the way; and since then thirty-two boards have introduced compulsion in the whole or selected portions of the area under their jurisdiction. As a result of the levelling up of

teachers' wages and of the schemes for expansion, the boards' aggregate expenditure on education went up from 8·44 lakhs in 1919-20 to 15·84 lakhs in 1926-27. The municipal boards handling of their educational systems has in general been even less efficient than the district boards'. The teachers in their primary schools have not been of the standard normally available for district board schools. Although the area to supervise is much smaller, the actual standard of supervision of schools by municipal commissioners has in general tended to be inferior to the standard of supervision in the rural areas. Compulsion has often been applied in order to earn merit with the electorate, and the desire to enforce compulsion has not everywhere been strong enough to resist the temptation of avoiding strong local opposition or resentment. Some attendance officers have proved unsuitable for their work. Municipal boards in the Agra division have been about the only exceptions to the failure of municipal boards in general to work up to their programmes. For the examination of the problems of compulsory education in the urban areas Government placed an officer of the education department on special duty. His report is under consideration.

Income.

308. Excluding government grants the boards' aggregate income in 1919-20 was 106 lakhs. Within the seven succeeding years it rose to 144 lakhs (nearly thirty-six per cent.). Most of this increase was accounted for by the increased income from taxation which rose from 69·39 to 103·57.

(i) *Taxation.*—Almost all classes of income from taxation shared in the general rise. The yield from octroi, which will be discussed in greater detail in the next section, rose from 34·17 to 40·41 lakhs. Terminal tax more than doubled and terminal toll more than trebled their yields, the figures being 18·42 (against 8·63) and 6·80 (against 1·98) respectively. Government considered this system of indirect taxation preferable to octroi and encouraged its adoption by the boards. Within two years the number of towns where it was in force doubled. Since then it has almost spent its force. Some other towns, the most important being Cawnpore, revised the schedules. Hence the large increase of income from terminal tax and toll. The yield from water-rate nearly doubled (from 7·79 to 15·55); the introduction of piped water-supply in a few more municipalities, but more than that, the better supervision of assessment and collection of municipal dues were responsible for the increase. The income from the tax on houses and lands rose by sixty-four per cent. (from 5·59 to 9·17 lakhs).

The Allahabad board imposed a passenger tax with effect from 1924 and Benares revised its system so as to tax outgoing pilgrims in addition to the incoming ones. Hence the aggregate income from this tax went up from 1·13 to 3·12 lakhs. The tax on animals and vehicles (which yielded 1·91 against 1·11 in 1919-20) tolls on roads and ferries (the yield of which rose from 2·60 to 3·64) and conservancy rates more than kept pace with the general growth of income from taxation. The tax on trades and professions remained constant at 1·35, even though the number of boards which imposed it rose slightly from fifty-two to fifty-four. The circumstances and property-tax is the only one which showed a serious decline from 4 to 2½ lakhs, the reason being its replacement by other forms of taxation; ten towns gave it up and only four new ones went in for it during the period 1919-20 to 1926-27. The stagnation in the income from the tax on trades and the gradual abolition of that on circumstances and property were due to, and illustrate, the practical difficulties of what in theory is one of the soundest forms of local taxation in the smaller municipalities. Direct taxation is rarely assessed with equity or collected with vigour. Its yield too is insufficient. A comparison of towns having direct with similar towns having indirect taxation showed that the yield of municipal taxation in the latter was about double.

(ii) *Other sources*.—About one-third of the boards' income comes from sources other than taxation. It varies little from year to year. But Government have reason to hold that the boards did not make the most of these resources—particularly in regard to the yield (about one-seventh of the total income) from municipal services. Municipal dues were neither completely recorded nor vigorously collected. The properties owned by the boards or entrusted to their management secure a substantial income—about 10 lakhs—but they were not as efficiently handled as they could have been. The examiner of local fund accounts found the registers of immovable property unsatisfactory in many municipalities and many cases have come to light in which Government's title in crown lands has been jeopardized by the boards' neglect to maintain accurate and up-to-date records and to resist encroachments. It is true that the aggregate revenue from municipal property and powers other than taxation rose from 27·13 in 1919-20 to 35·03 lakhs in 1926-27, but the rise was only 29½ per cent., nearly 6½ per cent. less than the general rise in their income. Realizations under special laws (cattle-pounds, hackney-carriages, licences for the sale of spirits and drugs, etc.) yielded 2½-

against 1 $\frac{3}{4}$ lakhs. They kept pace with the general growth of income; but more efficient handling would have yielded much more from even this comparatively unimportant source. Miscellaneous sources were a biggish item and yielded 8·22 lakhs in 1919-20, but their steady decline from 4 lakhs in 1920-21 to 2·12 in 1926-27 was brought about by causes mainly beyond the boards' control.

(iii) *Government grants*.—Government grants have fluctuated from year to year. They aggregated 12 lakhs in 1919-20 and 9·88 in 1926-27. They have never been an important source of municipal revenues. The reformed Government's policy has been to restrict grants for the benefit of the municipal areas.

**Incidence
of taxation.**

309. The incidence of municipal income rose from Rs. 3-13-6 in 1919-20 to Rs. 5-4-0 in 1926-27. The table below shows the rise in the incidence of municipal taxation per head of population, for the municipalities as a whole and for the four most important ones:—

	1912-13			1920-21			1926-27		
	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.
(i) All boards	1	13	6	2	5	3	3	8	8
(ii) Lucknow	2	1	9	2	12	0	4	9	5
Cawnpore	2	15	0	5	7	9	8	0	3
Benares .. ..	..	..	..	2	11	9	5	11	11
Allahabad	1	9	0	3	1	3	6	4	0

While for the municipalities as a whole, the incidence of taxation rose by a little over one-half, and Cawnpore (in spite of its initially heavy incidence) almost kept pace, the other three boards raised their incidences at rates in excess of the average. The increased burden of taxation fairly approximated to the average in most of the medium-sized and some of the smaller municipalities, but tended to be less in the majority of the smaller ones. (The hill stations of Naini Tal and Mussoorie with their migrant summer population are abnormal cases and are therefore left out of account.) The fact that the boards' opening balances amounted in 1912-13 to 39 per cent. of the year's income but after a decade which witnessed the high level mark of wages and prices fell to nineteen per cent. measures the extent of their difficulty in balancing their budgets in spite of their steadily growing income from taxation.

Octroi.

310. In 1919-20 octroi was in force in thirty-four municipalities. Seven boards abolished it during the following year. Octroi then reached its nadir. But it has ever since been regaining its lost ground, and in 1926-27 the number of towns

with octroi was the same as in the last pre-reform year. Long before the introduction of the Reforms, octroi had come in for strong and sound criticism and Government had pursued the twin ideals of its total abolition and its replacement wherever feasible by direct taxation. Even so late as 1917 Government, while recognizing the practical difficulties in the abolition of octroi and the unpopularity of direct taxation, had expressed a hope that the "steady growth of a spirit of responsibility and public duty in the tax-payers and the gradual appreciation of the benefits derived from increased freedom of trade and intercourse" would allay the growing discontent with direct taxation. But though the attempt to substitute octroi by direct taxation was, generally speaking, confined to the smaller boards, it did not take long to go out of vogue. Even the attempt to replace octroi by "the terminal toll and tax" was gradually abandoned. Towards the close of 1920 Government came to the conclusion "that terminal taxation is not suited to every type of municipality, and as already noted, the attempt to replace octroi by it everywhere has been abandoned." The Reforms period witnessed a slow but steady reversion to octroi. Only a few boards found reason to be satisfied with the change from octroi to terminal toll and tax. Many more were disappointed with the results as their income was seriously reduced. The desire to revert to octroi was general and the attitude of the legislative council in connexion with a resolution recommending that Government should permit its re-introduction in a certain town showed that the average member of the council was inclined to subordinate sound theory to popular practice. If the extent of the revision to octroi has not kept pace with the desire for it, it has only been due to the difficulty of retrogression. Government have, however, frequently advised the boards to improve their octroi systems by revising antiquated rates, eliminating *ad valorem* rates on all goods for which specific rates are more suitable and by remodelling the schedules so as to exempt goods, a large proportion of which are re-exported. Government attached special importance to the last point as it was found that the system of refunds on account of re-exported articles left much room for embezzlement, cheating and leakage. Owing to the variation in the number of the towns where octroi is in force, its yield does not admit of useful comparison from year to year. In 1926-27 it yielded 40½ lakhs (= nearly 26½ per cent. of the total income). If to this be added the income from terminal tax and toll—which are forms of indirect taxation with certain administrative conveniences—the aggregate yield was 66·63 lakhs (= 43½ per cent. of the total in-

come). Octroi is thus by far the most important source of municipal income whether from taxation or otherwise, and in spite of all that can be urged against it on grounds of economic theory, its prominence is likely to increase rather than to decline. No data are available for comparison between the effects on trade of octroi and of direct taxation; the trading classes, however, do not regard octroi as a serious impediment to business.

Collections.

311. In the matter of collections the boards' record has not been very encouraging. Certain boards have done creditable work, but the larger municipalities, specially Benares and until lately Cawnpore and many of the medium-sized and smaller ones, have not been as energetic as they should have been. Reviewing the administration of Benares during the year 1922-23, the commissioner said that not only were large arrears on account of house and water tax allowed to accumulate but even the actual amount due was unknown as the registers had not been totalled for many years. In the Meerut municipality nothing at all was in that year collected out of a demand of Rs. 4,600 on account of a new tax on grain-pits. The tax was unpopular, the board considered it impossible to enforce it and later on decided to abandon it. In 1923-24 the small town of Fatehpur collected only one-fourth of its dues. The Jaunpur board never seriously attempted to collect its tax on houses and lands. The accumulation of arrears was, generally speaking, due to lack of supervision on the part of the boards' senior officers, and carelessness and favouritism on the part of the collecting agencies; but the real responsibility lay in the boards' failure to realize that the collection of demands is one of their primary duties and a good measure of their fitness for managing local affairs. Government considered it probable that most boards did not take effective action to keep themselves informed as to how collections were proceeding and advised them to take action on the lines indicated by them. As a result three large municipalities were moved to action and showed an improvement. Cawnpore reduced its arrears from 2 lakhs to 1—a creditable achievement. From the recently published report on the working of the Allahabad board, it appears, that board also has appreciably reduced its arrears and reached a high percentage of collections to dues.

Expenditure.

312. During the period 1919-20 to 1926-27 the boards' aggregate expenditure rose from 117.55 to 165.72 lakhs. All heads of expenditure shared the general rise though in varying proportions. Street-lighting and the maintenance of water-

works and of drainage schemes cost between one-third and one-half more than they used to seven years ago. Capital outlay on water-supply and on drainage schemes aggregated 73·71 and 39·32 lakhs respectively. Conservancy arrangements rose by about thirty per cent. mainly because of the rise of sweepers' wages. The cost of the health staff went up from $1\frac{1}{2}$ to $2\frac{3}{4}$ lakhs, and the figure would have been even higher if the cadre of health officers had not been provincialized. Increased municipal contributions towards district boards' dispensaries and hospitals imposed an additional annual burden of $2\frac{3}{4}$ lakhs on the boards. Vaccination, cattle-pounds, markets, slaughter-houses, veterinary relief, vital statistics, public works establishment—all these, though comparatively unimportant items, came in for a share of the boards' increased powers of spending. Among the important services the expenditure on roads and on education rose more than on others.

313. The boards' expenditure on general administration, including collection, has been mounting up year by year. Within seven years it rose by fifty per cent. (from 11·67 in 1919-20 to 17·59 in 1926-27). It has accounted for between ten and twelve per cent. of their disbursements. Though to a certain extent the increase was unavoidable, the boards have in general failed to exercise effective check on it due mostly to their inability to withstand clamour for more pay, allowances and amenities. There has been a persistent and inexplicable variation of the percentage of the expenditure on general administration to real municipal income between the five leading municipalities, Allahabad spending nearly 150 per cent. more than Benares. Equally striking have been the variations in the percentage of the cost of collection to their income from rates and taxes. Government considered it necessary to advise these and other municipalities that they would do well to compare notes and see whether anything could be learnt from each other's practice.

Cost of
general
administra-
tion.

314. The staff is by no means contented with its lot. Staff. The executive officer and (to a smaller extent) the secretary are the backbone of a board's administration. Some such officers have creditable records of work. The slowly rising general standard and the remarkable improvement in that of certain boards would both have been difficult without the loyal and devoted work of the chief officers. But local boards' work could easily attain a higher standard if the selection and control of the staff be reduced to a proper system, the tenure of office be made reasonably secure, and the scope for intrigue and undue interference by members be minimized. No such

scheme has so far been evolved. There is no system of graded services. No qualifications have been prescribed. Selection is haphazard and erratic; merit is rarely the sole test and more often than not makes place for intrigue and favouritism. The average member does not realize that he is there to help to decide the broader questions of policy, control and supervision and instead takes undue interest in details and is often tempted to illegitimate interference with the staff. Such conditions of work have naturally retarded the growth of a reliable and self-reliant executive. The staff's dissatisfaction has already begun to express itself. The agitation is still feeble but is likely to gather mass and force as time goes on. Out of numerous suggestions the one for the formation of "local board services" subject to the control of a body representing Government and the boards has met with a large measure of general approval. The tendency to borrow government officers has been steadily on the decline; the boards have naturally preferred men subject to their own control.

Note.—These remarks are substantially applicable to the district boards also.

Audit.

315. In the maintenance of their accounts, municipal boards have on the whole—though with important exceptions—maintained a fairly satisfactory standard. Room for general improvement has, however, always existed. The smaller boards with their less complicated systems have naturally done better than the larger ones, though few boards have uniformly maintained a high standard. Every year a few serious irregularities have come to light. Embezzlements have not been rare. In Cawnpore the auditors unearthed a serious case of systematic fraud in the purchase of road metal which robbed the board of no less than Rs. 70,000. The audit note on another board's accounts amounted to a grave indictment. Certain defects have been almost universal—delay in the preparation of the assessment lists, incorrect totalling of the demand and collection registers, inaccuracy of accounts relating to water-supply, public works, road repairs and provident funds, and defective and incomplete record of immovable property. But other shortcomings—disregard of rules and orders, irregular payments, delays in the adjustment of advances and assessment of demands, failure to regularly make up the registers, omission to prepare leave accounts, slackness of supervision over the collecting staff—have not been uncommon. The auditors' inspection notes—though primarily intended for the use of Government—can be of great benefit to the boards. But as Government had to point out in 1927, the boards as

a whole "have yet to learn that audit notes must be taken seriously and not treated as routine matters." Speaking generally, in matters like vigilant supervision of accounts, specially of expenditure, and the disposal of the audit notes, boards and even many chairmen have tended to leave everything blindly to their subordinates—sometimes the very men against whom the audit remarks are directed. They have as a rule been unwilling to take strong disciplinary action against their employees even when embezzlements and grave irregularities were committed.

316. In 1919-20 Government considered the financial **Financial** position of the majority of the boards to be sufficiently strong **position-** to enable them to meet all ordinary demands, including enhancement of the pay of municipal employees, but not strong enough to allow them, without the imposition of fresh taxation, to contemplate any large schemes of improvement. A certain number of municipalities including some of the most important ones even then could not pay their way. But most boards were taking steps to impose fresh taxation and thus bring their income more into line with their expenditure. In the reviews of the two following years a less optimistic note was struck; the financial position of the boards was described as being "with few exceptions, precarious." The balances were being depleted and the disparity between income and expenditure was growing. The position was found to be particularly serious in the municipalities of Agra, Benares and Cawnpore "which have been drifting straight towards bankruptcy." The boards everywhere were hard hit by the rise of prices and wages. Unfortunately few boards recognized the danger of their position, and some even committed themselves lightheartedly to new expenditure not covered by any income upon which they could count with certainty. Many boards either drifted helplessly or following the line of least resistance attempted to increase taxation instead of resorting to economy and even retrenchment. Since the inauguration of the Reforms and especially since 1923 Government have tried to hold more evenly the balance between the urban and rural areas, and have repeatedly warned the boards that though assistance from provincial revenues had been a feature of their past municipal policy, the boards were to consider themselves to have outgrown that stage. The financial embarrassment of the Agra, Cawnpore and the Benares municipalities caused such concern, that it was decided to depute officers to make special inquiries into their finances. The Agra board's position was found to be less serious than at first sight appeared,

and the board was able, before the close of the year 1922-23, substantially to reduce its deficit. Cawnpore and Benares were found to be in more serious plight. But in their case also the officers came to the conclusion that it was by no means beyond their power to stabilize their finances, provided they kept the need for economy and businesslike methods prominently in view, insisted on the full collection of their dues and adopted certain reasonable measures of retrenchment. In Allahabad also there was reason for anxiety. The tendency to budget for expenditure in excess of their income was by no means confined to the large boards; it was fairly common. The elementary principle that recurring expenditure should be covered by recurring income was falling into increasing neglect. Reviewing the board's financial position, Government said in 1924 "In each of the past three years the total expenditure has exceeded the total income by many lakhs. Moreover, the disparity seems to be increasing. Making every allowance for the influence of large capital undertakings, it is difficult to avoid the conclusion that a very appreciable proportion of recurring expenditure has in recent years been met from the balances . . . Choice lies between retrenchment and additional taxation, and in many cases the adoption of both of these unpalatable expedients seems likely to be unavoidable." The position since then has been steadily improving. Indebtedness has been decreasing, and invested funds and closing balances have been growing. Benares, aided by enhanced octroi rates and by a revision of its passenger tax, paid up the arrears of its loan instalments. It also managed to balance its budget for the first time after many years. Cawnpore secured a moderate surplus. Agra, Allahabad and Lucknow balanced their budgets. (Allahabad was materially helped by the imposition of the passenger tax.) Were it not for costly but unavoidable programmes now facing them the condition of the large towns could be regarded as satisfactory. Their response to Government's advice has been adequate. The medium-sized and smaller towns have, speaking generally, been better off.

(iii) *Ministers and the boards.*

The first minister.

317. The first minister's policy amounted to avoidance of official interference with local bodies as far as possible. He rejected proposals made by commissioners for the supersession of two large municipalities which a pre-reform Government would probably have accepted. He inclined to sympathize with municipal boards when they came in conflict with officialdom over questions of audit or public health. He was indeed

desirous to see the local bodies efficiently run, but was reluctant to apply strong enough pressure. The general political situation too was unfavourable; a stronger attitude on Government's part would have stimulated the growth of extremism in the towns. On certain important issues, however, he stood firm. A circular was issued prohibiting expenditure from municipal funds on addresses by the boards to political leaders; such addressees were at the time getting fashionable. As regards municipal taxation he was on principle in favour of direct rather than indirect methods as pressing less heavily on the poor. But he doubted the practical value of terminal taxation as a substitute for octroi. His preference for direct taxation was towards the end weakening under the pressure of the popular demand for octroi. Even before the Reforms, the theoretical condemnation of octroi had in practice begun to be reversed. But in his régime the movement against octroi gathered force. One of the minister's supporters introduced a bill for reducing municipal franchise and widening the electorate. The minister accepted it and it was enacted.

318. On his resignation he was succeeded by a landlord minister. Nothing remarkable happened in his time, but in cases of conflict of interest between the urban and the rural boards he tried to secure justice for the rural boards. His successor was also a landlord representing a rural constituency, who made a point of securing grants for the development of rural interests while not neglecting those of the urban areas. This minister withdrew from commissioners the power, which they had till then exercised, of nominating members to the boards. Commissioners' recommendations were rejected in so many cases that the Governor issued orders that all cases of difference between the minister and the commissioners should be brought to his own notice and that the minister's own nominations should be referred to the commissioners for opinion. The private bill enabling a board to pass a vote of no-confidence in the chairman and empowering Government to secure his resignation had this minister's support. Its introduction was due to the friction which existed between the chairman and the majority of members of a few boards; in spite of votes of non-confidence the chairmen struck to their posts. The actual result of this enactment has, however, been to weaken the boards' executive and in particular to undermine the chairman's authority, and to render him susceptible to intrigue. Commissioners and district magistrates are almost unanimous in holding that this enactment has proved the greater evil of the two. Government too considered it unsound and refused to copy it for the district boards. In other

Second and
third
ministers.

respects this minister's policy was substantially the same as the first minister's.

**Fourth
minister.**

319. The present minister's view is that control should be exercised indirectly and chiefly through giving grants on definite conditions, or withholding them if those conditions are not fulfilled. The finance department is now more critical where grants-in-aid to municipalities are proposed. In connexion with certain water-works schemes for the smaller municipalities its attitude has been that they should finance such schemes from their own resources or by loans, and that grants-in-aid should not be given. This in effect amounted to a reversal of the earlier policy under which water-works in even the largest towns were mainly financed by grants-in-aid from Government. The present minister has in fact followed a policy of non-interference not very different from that of his predecessors. In one case only was supersession of a board seriously considered. But finally the minister himself visited the town and contented himself with some practical suggestions for the improvement of its sanitation, the defective nature of which had formed the main ground on which the board's administration had been condemned. Government's public health department has been exercising constant pressure; the director has reported a number of cases of failure on the boards' part to take reasonable action for the modernization of their public health systems, and the board of public health even went to the length of recommending the supersession of an important non-city board. But Government's policy here also has been one of non-interference. The exceptions to this general policy have been but few. Government have steadily insisted that no board which has heavy arrears of uncollected dues can reasonably ask for grants-in-aid. The application of the municipal board of Muttra—an important pilgrim centre—was rejected on the ground that the amount of its uncollected dues was just about equal to the amount of the grant-in-aid for which it had asked in connexion with its water-works. One important board profited by Government's insistent direction about the collection of arrears and reduced them substantially; another leading board is following suit. As regards water-works also, Government have for the last three years been insisting with progressively improving results that the boards must take steps with a view to reducing the loss of public money. An important decision taken by the present minister concerned the municipal election rules. Reviewing the last general municipal elections Government had declared that it was dangerous to entrust the work of preparing electoral

rolls, etc., to the very bodies many of whose members stood to gain by their manipulation. In the case of the provincial legislative council and the district boards, this work has all along been performed by Government's own agency. The minister accepted the suggestion of a committee of the legislative council that the municipal election rules should in this respect be assimilated to those in force for the district boards; in spite of severe press criticism the rules have been made final.

(iv) *The boards in the council.*

320. Municipal boards have rarely figured in the council's budget debates. The demand under the head "Grants and loans" came up for discussion only once, viz., last year. But the average member's attitude then revealed was substantially the same as in the case of the district boards. No member was prepared to assert that at least the municipal boards with their far greater financial independence should cultivate self-reliance. The distinction between local and provincial finance is not carefully observed in the debates. An important but typical line taken in the council was the constant exhortation to Government to replace official by non-official representation. This specially concerned the notified areas. Government have in fact pursued this policy, and most municipal boards and notified areas now have elective non-official majorities and chairmen.

321. The 1916 Act is still in force, and no fundamental amendment has been effected since the introduction of the Reforms. In 1922 a formal measure was passed providing for the determination of limits for purposes of municipal tolls on the same lines as for octroi. A private bill had been introduced in 1921 by a supporter of the then minister with two main objects, viz., (i) widening the municipal electorate by reducing certain categories of the franchise to the level of the corresponding electoral qualifications for the legislative council, and (ii) minimizing the disqualification on account of conviction for offences of a political nature. Owing to the prevailing political atmosphere the consideration of the bill was delayed. The minister accepted the bill and the council accorded it a good reception. Government opposed and the council rejected a private bill aiming at the postponement of the municipal elections which were then already in progress. A private bill sought to assimilate the law concerning municipal electors' and candidates' disqualifications to that in force for the legislative council and also to disqualify prostitutes. The bill was

circulated for opinion, but the mover was not present on the day fixed for discussion and it lapsed. Another private bill had as its main object the introduction of single-member constituencies as in the case of the council, but it was withdrawn. A private bill supported by the minister enabling a board to pass a vote of non-confidence in its chairman and providing for the removal of a chairman refusing to resign even after the passing of such a vote and a Government bill to empower municipal boards to delegate their powers, duties and functions to government servants were both enacted. The Governor-General in Council withheld sanction for the introduction of a private bill which had as its objects the prevention of indiscriminate slaughter of plough and milch cattle and the acquisition of pasture lands by boards. Private bills were treated in a somewhat light-hearted spirit, and few were seriously pursued. The average member's zeal, and occasionally even communalism, got the better of his caution. The original draft of the bill enabling a vote of no-confidence in the chairman to be passed was crude; the restrictive provisions which govern the procedure were introduced subsequently. Only one private bill, viz., the one which brought electoral qualifications down to the council's level, was well conceived and sound in principle.

Resolutions.

322. Resolutions dealing with specifically municipal questions have been rare. A resolution adopted in 1921 recommended the stoppage of the Burma meat trade. But the motive was largely communal as this trade in beef has always been repugnant to the religious sentiment of the average Hindu citizen. Government took no further action than to ask municipal and district boards to make rules to facilitate the collection of statistics. The resolutions recommending government action for the promotion of adult education in municipalities and for the elimination of interference by government servants with elections (including municipal) concerned municipalities, but their primary objects were educational in the one case and electoral in the other. The only genuine municipal resolutions adopted by the council were the one recommending a revision of the constitution of municipalities having a minority or a bare majority of elected members so as to allow an elective majority and the election of a non-official chairman, and the one recommending that a member of the depressed classes should be nominated by Government to each municipality and notified area. On the former little action was in fact, required, and as regards the latter, Government's practice has all along been to make such nominations whenever suitable men are

found. Only one municipal resolution was withdrawn on an assurance being given by Government; the object was to enable a small municipality to reintroduce octroi. Government permitted it to do so.

323. Questions in the council relating to municipal matters were of the usual complexion. There used to be a tendency to utilize the council for the ventilation of personal grievances or the satisfaction of personal grudge over municipal affairs. Government, however, have consistently refused to be entangled in municipal squabbles, and have discouraged the desire to translate them from the board room to the council chamber.

(v) Conclusions.

324. The large municipalities which work on a large scale and in greater publicity, and contain a much larger proportion of literacy and of public spirit, naturally set the general standard. Their record has not been discouraging. Merits and defects have co-existed in almost every board but in varying proportions. The vigorous administration of Cawnpore has of late, and owing mainly to the efforts of the present chairman, given that city the foremost place. Its finances are sound. There has been a marked advance in the realization of both current and arrear demands, and its water-works are what they ought to be—a profitable proposition. This board has still to deal with important questions relating to irregularities in the keeping of accounts, wastage of water and its road system. More effective cooperation has still to be established with the district board and the improvement trust. But the board has realized its problems and is facing them. Agra too is financially sound and has an encouraging record. In Benares the administration is conscientious and cautious, but has all along been labouring under the difficulties of a disorderly administration inherited from its predecessors. On the other hand, in Meerut there has been much faction in the board and weakness in the administration. In Allahabad there has been a disquieting decrease in revenue, administration has not been economical and the revenue is not being collected in full. (Its latest report however indicates considerable improvement in all these respects.) In Lucknow progress, particularly with the road system, has been very satisfactory but has outstripped financial policy, and the board is struggling with the inevitable result. The signs are, however, hopeful. Arrears are being more firmly collected and the board is realizing that it cannot have modern improvements

Record of
the larger
boards.

without paying for them or at the expense only of the provincial tax-payer. The system of taxation is being modernized. The condition of Bareilly is not satisfactory. The board has been badly served by its staff and its record in dealing with the audit notes has been scandalous. Its income from octroi has shown a large decrease.

And of the smaller.

325. These varying standards have their counterpart in the smaller boards too. In Bara Banki faction almost brought municipal administration to a standstill, and the board narrowly escaped the humiliation of a formal dissolution or even supersession. Ghaziabad, lying next door to Delhi, was rent by jealousy and intrigue, with the result that roads were neglected, expenditure on education had to be reduced and collections were bad. The roads in Ballia were the worst roads which the Commissioner of Benares had ever seen. In another small board an honest and experienced secretary with an uncompromising temperament was dismissed for insufficient ostensible reason. On the other hand, there are some very encouraging examples. Saharanpur has had an excellent record under its energetic chairman. In Sikandrabad the board worked in harmony and rendered a good account of its charge; collection of municipal dues was ninety-eight per cent. Government congratulated the Gorakhpur board, especially its chairman, on the energy and foresight with which municipal problems were being tackled. The Commissioner of Kumaun reported that it was a pleasure to deal with the boards of that division. Many other boards have been reported to have worked harmoniously and on the whole well.

General conclusion.

326. The great majority lie between these groups of the good and the bad. They have their weaknesses. Short-sightedness in finance is fairly common. Money, when available, is spent with little regard for future recurring commitments. Their policy is not sufficiently consistent and they seldom work out or follow well-conceived programmes capable of automatic development. The average board, while desirous of progress, is not equally desirous of paying for it; in this respect there is more dependence on grants from provincial revenues than there should or need be. Success or failure depends far too much on the personal factor, and the habit of regular, orderly administration is still not adequately developed. The right relations of a board with its staff are not understood. Factions lie near the surface in most boards; personal interest or the appeal of a chance to discomfit an opponent often obscures the true issue. Their work has been marred by communal feeling in regard to services, slaughter-houses and

the Urdu script. Government's warnings and interference have kept it in check in many of them. It is, however, one of the greatest banes of local self-government—urban as well as rural. Controversies of a political flavour no longer dominate municipal business as they used to. There are indications that the members are beginning to realize their legitimate place in the scheme of local self-government. Many of them take real interest and some are even enthusiastic. If the boards were to compare notes and profit from the success or failure of others, the general standard of municipal administration, which even now is moderately satisfactory, would easily become higher.

III.—NOTIFIED AND TOWN AREAS.

327. The Municipalities Act (1900) for the first time re-^{General.} cognized the more important non-municipal urban areas (till then governed by the Town Police Act of 1856 and the Village Sanitation Act of 1892), as distinct units of local self-government. They were designated "notified areas" and their status was, with many important reservations, modelled on that of the municipalities. They are governed by specified portions of the municipal law. The still smaller or less important towns had to wait till the Town Areas Act (1914) started them on a new career. Between these two kinds of local body there are structural and functional differences. The question whether a town should be set up as a notified or a town area is not decided solely on the basis of population but rather on a combination of various factors—population, industrial development (actual or potential), importance for commerce or as a junction for railways or roads, and the general development of the local community. It is not unusual for a notified area to grow into a municipality or for a town area to reach the status of a notified area. The most noticeable post-reform development concerning both notified and town areas has been the progressive introduction of elective majorities and elected chairmen. During the period of office of the first minister for local self-government these were granted to most notified areas. The third minister took steps to eliminate the official element in the administration of the town areas; a reorganizing bill has reached the select committee stage. The legislative council has consistently favoured this process of non-officialization."

328. The local Government have power by notification to ^{Notified} declare that in any specified area it is desirable to make ad-^{areas} ministrative provision for the performance of some or all of a

municipal board's functions (both obligatory and discretionary), to impose in such area any tax under the Municipalities Act, and to fix the number of members to serve as a committee for the assessment of taxation and expenditure of its proceeds. On March 31, 1928, these provinces had 54 notified areas. Most notified area committees consist of four elected and one nominated members. Every male inhabitant who is assessed to any tax in the notified area (other than octroi or toll or a similar tax) is entitled to be enrolled as an elector. The district magistrate can appoint an additional member to represent any important community not already represented. Only one committee has a nominated *ex officio* member. The elective element is in a majority on all except three committees. The presidents used to be officials—normally a tahsildar. But most committees now have elected non-official presidents. The committee's functions roughly correspond to a municipal board's; the important services in fact rendered are conservancy, lighting, supply of pure drinking water, primary education, vaccination and roads.

Sources of income.

329. Any municipal tax can be imposed in a notified area, but the usual ones are the taxes on circumstances and property and on houses and lands. The total income from taxation of 49 notified areas was a little under two lakhs in 1919-20; within seven years it rose by a little under one-third. In 1926-27 the *per capita* incidence of taxation varied from nearly four rupees and eight annas to four annas and two pies. The average incidence was nine annas and six pies in 1919-20; after seven years it rose by two annas. The income from sources other than taxation has always been very substantial; in 1926-27 it was 3.30 lakhs. But it has not expanded much; after seven years it rose by one-sixth. Expenditure has been well regulated and the aggregate closing balance rose in eight years (1918-19 to 1926-27) from 1.16 to 2.53 lakhs.

Control.

330. Government possess powers of control—direct as well as through their administrative officers—over notified area committees similar to but more extensive than those which they have over municipal boards. So long as the committees had official chairmen, there was no occasion for the formal exercise of such powers.

Administrative record.

331. Under their nominated chairmen the general standard of work used to be higher than that attained by the smaller boards with elected chairmen. But there was no effective local self-government then. The chairmen dominated the administration as much as the meetings and the committees

were in practice advisory bodies. Under their elected chairmen their record has been similar to that of the smaller boards, except that in financial matters they have on the whole tended to be more cautious and conservative. The general status of the committees has now been assimilated to that of the smaller boards; indeed, except that their powers of taxation and consequently their expenditure and services are more restricted, there is little to distinguish their status and powers from those of the boards. The gradual evolution of many of the committees into full-fledged boards of the smaller type appears to be inevitable.

332. The local Government have the power of declaring town areas and defining their limits. An agricultural village is not liable to be declared, or to be included within the limits of, a town area. The town areas have a narrow range of prescribed functions—conservancy, street-lighting, drainage, local communications and other general improvement. Besides the towns administered under the Town Police Act (of 1856), a number of new town areas have been created. On March 31, 1928, these provinces had 264 town areas. Each town area has a town magistrate and a town council called a *panchayat*; the local Government can confer or impose on a *panchayat* the town magistrate's powers or duties and conversely can divest it of any of its powers or duties. Only the local Government can supersede a *panchayat* for persistent default or abuse of powers. The commissioner can remove a member who in his opinion is unfit or persistently remiss in the discharge of his duties. The district magistrate has supreme administrative control, and even the town magistrate, who is the real executive, has wide controlling and overriding powers. The *panchayat* consists of three to seven members. One of these is elected as *sarpanch*, but he is not the committee's executive. The councils used to consist partly of nominated and partly of elected members, but most of them are now entirely elective, and very few have more than one nominated member. Every male person of twenty-one years of age who resides in the town area and is assessed to the tax in force therein is entitled to be an elector. Candidates must be registered electors assessed to the tax in the sum of at least five rupees a year.

333. The town council's powers are, broadly speaking, advisory and financial and not administrative. It advises the district magistrate as to the sanitary measures needed and the amount to be raised for the administration of the town, and is under a statutory duty to render reasonable assistance in

Town areas.

**Powers of
the town
council.**

promoting sanitation. The orders are made by the district magistrate, or if so empowered, by the town magistrate. While it has certain petty powers (determination and appointment and punishment of the town staff, control of its work, etc.) the more important ones are subject to the town magistrate's confirmation, and the town fund is administered by the town magistrate himself.

Sources of income.

334. The main source of income is a direct tax assessed on the occupiers of houses and lands according either to their circumstances and property or to the annual value of the houses and lands. The maximum limits are in either case fixed in the Act. The general practice is to have the circumstances and property tax and not that on houses and lands. There are other minor sources of income, but the tax is the backbone of the financial system.

New Legislation.

335. Like the earlier municipal legislation the Town Areas Act was a measure for meeting some of the elementary needs of the smaller urban areas rather than for the development of local self-government. The *panchayat's* powers are mainly advisory, and in practice the town magistrate has tended to trench on its legal powers. Very little real interest has therefore been taken by the *panchayats* in their work or by the electorate in town area affairs. Government have decided to recognize town area administration. The main features of the amending bill which has already reached the select committee stage are :—

- (i) town magistrates will be eliminated, but the district magistrate will retain considerable control;
- (ii) *panchayats* will be almost entirely elective, nomination being confined to Parsis, Sikhs and Christians;
- (iii) *panchayats* may have five or six or seven members; minorities will have reservation of seats according to their percentage of the total town population;
- (iv) joint and not communal electorate; single non-transferable vote;
- (v) chairman will be elected not by the *panchayat* but by the electors direct;
- (vi) the power of appointing and punishing the staff will be vested in the chairman, subject to an appeal to the district magistrate;

(vii) the district magistrate will be authorized to delegate his powers to any deputy collector on the district staff but not to a tahsildar.

The *panchayats* will, if the bill is enacted, be more definitely assessing and advisory rather than administrative bodies, but the executive will be elective and thus responsible to the electorate. The already well-tried experiment of entrusting purely executive duties to elective bodies has clearly indicated that a strong executive responsible to the electorate and advised and assisted by an elective body is likely to yield more satisfactory results than an elective body working as an administrative unit and holding its executive under its thumb.

B.—RURAL.

I.—HISTORICAL.

**Early
history.**

336. If the development of local institutions in the towns in the United Provinces was a slow process, in the rural areas it was slower still. In Lord Mayo's time the levy of a rate on land and the constitution of nominated local committees to administer the proceeds were permitted, but in the United Provinces even this halting pioneer experiment was unsuccessful, and the work remained in the hands of the district officers. Lord Ripon replaced these committees by rural boards, and local Governments were given discretion to determine how far effect should in the various provinces be given to certain basic principles, viz., (i) preponderance of the non-official majority, (ii) an elective system and (iii) enlarged resources and responsibilities. The boards, however, showed little initiative; they were content to delegate most of their functions to the official members. In 1906 they obtained larger administrative and financial independence. Except in a few backward tracts a three-fourths elective majority was prescribed. Subject to the local Government's approval the election of chairmen was permitted, but in practice district officers continued to be chairmen. Following upon the announcement of policy in August, 1917, and in accordance with the policy enunciated by His Excellency the Viceroy in a speech in the Imperial legislative council, the Government of India issued a resolution in 1918, which reiterated Lord Ripon's principle that the object of local self-government is to train the people in the management of their own local affairs, and that political education of this sort must in the main take precedence of considerations of departmental efficiency. Government control was, compatibly with safety, to be gradually removed, and the appropriate sphere of work for the local bodies was to be differentiated. A special committee of the United Provinces legislative council examined the Government of India's proposals, and reported in October, 1918. Another committee appointed to report on English practice reported in 1919. A new bill was drafted, but Government considered it desirable to defer legislation till the reformed government had come into being. The same resolution dealt with the formation of village *panchayats*, a subject which had already come under the consideration of the Government of this province, and in 1920 the legislative council passed the Village Panchayat Act.

337. The first ministry was responsible for carrying through the reformed legislative council a bill inheriting its main features from the pre-reform régime and modelled in the main on the Municipalities Act of 1916. Its passage through the council was not easy; communal representation and taxation were the main bones of contention. This legislation completely reorganized the district boards. In general it assimilated their position to that of the municipal boards. In certain respects [nos. (i) and (ii) below] it went even farther than its model. The boards did not, however, get the same measure of financial independence as the municipal boards enjoyed.

The District Boards Act, 1922.

338. The main changes introduced were:—(i) the complete disappearance of the official element including the district officer, (ii) elected non-official chairmen, (iii) relaxation of government control to an extent greater than in the case of the municipalities, (iv) power to enhance the percentage of the local rate and to impose a tax on circumstances and property, (v) an electorate based on a very much wider franchise, (vi) restriction of nomination to only two non-official members, one of whom should, as prescribed by the Act, be ordinarily selected from among the backward and the depressed classes, (vii) division of districts into single-member constituencies to secure representation for every part of the district, (viii) raising of the number of seats, (ix) wide powers of control over staff and agents, (x) statutory obligation to set up *tahsil* committees, and provide them with adequate finance. Real local self-government in the rural areas of the United Provinces may with some justice be claimed to have been born in 1923; in practice the old boards were at the most advisory bodies, but the district officer hardly needed much advice, and few dared give it.

Its main features.

339. Three amending Acts have been passed, two on the motion of Government and one on that of a private member. One Government measure enabled boards to delegate powers to government servants including civil surgeons and the other, and more important, has empowered Government to compel boards to delegate certain functions and powers to education committees. The private bill introduced no important change.

Subsequent changes.

II.—DISTRICT BOARDS.

(i) Structure.

340. The United Provinces have forty-eight district boards corresponding to the forty-eight districts. Ninety-four per cent. of the population of the province lives under their jurisdiction. The normal district in the Gangetic plain has an

Constitution of the district

area of about 1,600 square miles and a population of a million. One district has a population of over three and another of nearly two millions. Communications are good except in the Himalayan, sub-Himalayan and sub-Vindhyan districts. The boards are bodies corporate and can sue and be sued, acquire, hold and transfer property and enter into contracts. They consist of a chairman, a certain number (not more than forty and not less than fifteen) of elected members and not more than two nominated members. No government servant can seek election, or be nominated. The chairmen are elected from among the members or outsiders; no government servant or municipal officer can be elected as chairman. Only in case a board fails to elect a chairman can the local Government nominate one.

Representation of minorities.

341. Hindu members form a majority in every board. But the law has made a statutory provision for the weighted separate representation of the Muhammadan electorate. The backward and depressed classes have no separate elective representation, but the law provides that one of the nominated members shall ordinarily be selected from among such classes. The total number of elected members prescribed by Government is 1,408. In 1925-26 one-fourth were Muhammadans and, with the exception of seven others, the rest were Hindus. Of the 74 nominated members, 31 were selected from the backward and the depressed classes, 19 were Muhammadans, and two Europeans.

The franchise.

342. Electoral qualifications are based on (A) property and (B) education, viz.,—

(A) *Property qualifications.*—(a) In all except the Himalayan districts, every owner of land assessed to a land revenue demand of not less than Rs. 25 per annum and every member of an undivided family whose name is entered as a landowner in the land records and whose proportionate share of the land revenue is not less than Rs. 25.

(b) (i) Semi-proprietors and superior tenants and in Oudh occupancy tenants liable to pay a rent of not less than Rs. 25 per annum in respect of land within the rural area.

(ii) Other tenants holding land in the rural area on which a rent of at least Rs. 50 per annum is payable.

- (c) Every person ordinarily residing in the rural areas who is assessed to income-tax.
- (d) Every person assessed to a tax on circumstances and property under the District Boards Act.
- (B) *Educational qualifications*.—Every person ordinarily residing in the rural area who is a matriculate or has passed an equivalent examination or recognized proficiency examination in a vernacular or a classical language.

343. Minors, adjudged lunatics, persons of a non-British domicile, undischarged insolvents, and convicts sentenced to transportation or to imprisonment for a term exceeding six months; or convicted of offences involving moral turpitude, or ordered to find security for good behaviour under specified sections of the Criminal Procedure Code are disqualified from being electors; persons disqualified on account of a conviction for specified election offences are disqualified for five years. **Disqualifications**

344. The law contains a provision to ensure a certain degree of local knowledge on the part of the candidate. Muhammadan and non-Muhammadan candidates must confine themselves to their own electorates. The general disqualifications in the case of candidates are (a) government service, (b) dismissal from government service, (c) debarment from legal practices, (f) removal from membership for certain specified reasons, (g) interest in any contract with or employment under the board, (h) illiteracy in English or Hindi or Urdu. There is no disqualification by reason of sex for either electors or candidates. **Candidates.**

345. The normal term of office of a member is three years. The commissioner can accept a member's resignation and on intimation to the board it becomes valid. Service on the boards is purely honorary. No board can grant, except in accordance with the rules or with the local Government's sanction, remuneration or travelling allowance to a member. **Members.**

346. The board itself, the chairman, the vice-chairman, the secretary and other staff, the *tahsil* committees prescribed by the Act and such other committees as the board may establish for assisting it in the discharge of its duties and some government servants form the executive. The Act contemplates the whole board as an administrative unit and the list of its powers and functions, very few of which can be delegated is a large one. This conception has proved to be fundamentally wrong; its incorporation in the District Boards Act, 1922, was due to a wrong deduction by analogy. The old boards used to be administrative units, but, in effect, the board then meant its **The executive.**

chairman. Since 1923 it means a large body of men mostly inexperienced, untrained and little educated. Hence the wide difference between their work and achievement. The chairman alone may exercise the board's power in relation to the control (but, except when it is delegated, not the appointment, punishment or dismissal) of the board's servants and such other powers as are delegated to him; but the list of such delegable powers is very small. He is under a statutory obligation to submit copies of resolutions, statements, accounts, reports, etc., to the Government, the commissioner and the district magistrate. He is responsible for convening and presiding at meetings and conducting their business and for watching over the financial and superintending the executive administration of the board and keeping it informed of defects therein. Every board has to elect a vice-chairman and may elect two (one senior and the other junior); his term of office is *one* year. When the chairman is not available, the vice-chairman acts for him. The chairman can also delegate to him specified categories of his own powers, duties and functions. Every board must appoint a whole-time salaried secretary, and such other officers and servants as are prescribed by Government. The secretary is responsible for receiving and accounting for the board's dues, and can exercise specified statutory and delegated powers. He can with the chairman's sanction delegate his powers to any servant of the board. The formation of *tahsil* committees used to be optional with the boards; the new Act put it on an obligatory-statutory basis, and prescribed the provision of adequate finance to enable them to carry out their duties. The intention of the framers of the Act was that they should within the *tahsil* relieve the boards and the head-quarters staff of the inspection of and repairs to pounds and village schools and repairs to the less important unmetalled roads. But the Act assigned to them no specified duties and left it to the boards to delegate to the committees their powers and functions. Other committees can be set up. These have normally been head-quarters committees dealing with particular departments—generally finance, education and public works; their personnel is drawn from a wider field than is possible in the case of the *tahsil* committees, and such committees have been a normal feature of the method of work of most boards.

**Education
committee**

347. The District Boards (Amendment) Act, 1928, now enables compulsory delegation of the boards' powers, duties and functions in respect of the detailed administration of the boards' educational system. The Act is an interesting experiment designed to remove one of the most serious defects of the

1922 Act. Another amendment of the District Boards Act now enables the boards to delegate their powers, duties and functions to certain government servants of the medical, public health and education departments. Government have power to compel such delegation.

348. The boards' obligatory duties have been prescribed by law, viz., the provision and maintenance of communications, roadside and other arboriculture, hospitals, dispensaries, poor-houses, asylums, orphanages, staging and inspection houses, markets, parks and gardens, veterinary relief, vernacular education, training of teachers, libraries, public wells, tanks, canals and drainage, famine preventive and relief works, cattle-pounds, public ferries, encamping grounds, *sarais*, vaccination and sanitation, pure drinking water, diffusion of knowledge regarding hygiene, causes of disease and agriculture and industries, breeding of cattle and horses, holding of fairs and agricultural and industrial exhibitions, removal of dangerous buildings or places, regulation of offensive, dangerous or obnoxious trades, etc. The law also lays down certain discretionary duties, viz., construction of new public roads, registration of births and deaths, reclamation of unhealthy localities, special methods of encouraging education, census and correct registration of vital statistics, tramways, railways, aerial ropeways, etc., minor irrigation works, allocation of sites for offensive or dangerous trades, conservation of the sources of water-supply. They can remove encroachments and projections over roads and drains, remove accidental obstructions and can construct, improve and provide building sites along the public roads. The owners of private sources of water-supply can be required to cleanse or close them. Their chairmen have specified emergency powers when an epidemic of cholera or other infectious disease breaks out. The list of obligatory duties is large and covers the greater part of the field of local administration in the rural areas. But no board has found it feasible to undertake all the obligatory duties. Education, pounds, roads, medical and veterinary relief, vaccination, ferries, staging houses and a little arboriculture have almost monopolized their attention. General sanitation and anti-epidemic work is a recent development, and expenditure, on the encouragement of agriculture and industries, and (if one board be left out of account) that on fairs and exhibitions are negligible items.

349. As explained in the memorandum on the working of the municipal boards, the important functions discharged by the district boards are largely *non-local*. Education, communications, medical relief and public health work are the most **Work of provincial importance.**

important items of expenditure and they are provincial rather than local.

Sources of revenue.

350. The inelastic financial system of the old boards lay at the root of most of their difficulties. The original draft of the new Act proposed to give them sources of income sufficient for all reasonable needs for ten years, but the rural members cut down the taxation proposals so drastically as to render their benefits of small effect. The new system has placed local taxation on a comparatively broader basis than before. The main sources of income are—

(1) *The local rate.*—The rate used to be 5 per cent. of the annual value of the estates, and even though the new Act permits of its being raised up to 6½ per cent. no board has yet enhanced it. The total yield in 1926-27 was 73·45 lakhs (about 37 per cent. of the total income). In 1920-21 it was 71·55 lakhs. The Act contains provisions for shifting to the tenantry a portion of the addition burden if and when the percentage of the local rate is enhanced. There was no such provision in the old law.

(2) *Government grants.*—These have so far provided almost the whole of the increase in the boards' resources. In 1918-19 they aggregated 31 lakhs (=25 per cent. of the total income); by 1926-27 they rose to 87·64 lakhs, and accounted for over 45 per cent. of the boards' total income. The grants are made for a variety of purposes—educational, medical, sanitary, roads, etc.; some are non-recurring. In 1914 a large increase was made in the government contribution to the boards. Standards of expenditure were calculated under the main heads and the extra contributions was distributed to enable each board to reach a comparable point. It was not, however, made obligatory on the boards to reach that point. Since 1914 no considerable amounts have been available for the boards except for education. The grants for education were distributed on a practical basis, the richer boards were in effect made to pay for the poorer. The contributions to those which had money available were smaller than to those which had little or none. Hence the proportions of government grants to total income vary enormously. The figures (in lakhs) below are those of the grants for the year 1925-26 but are more or less typical :—

	Education.	Medical.		Sanitation.	Roads.	Others.
		Western.	Indigenous			
Recurring ..	65·85	1·50	..	1·51	4·21	0·08
Non-recurring ..	3·63	1·17	0·16	0·57	4·04	2·27

Recurring educational grants have all along formed a very large proportion of the total. Grants are ordinarily conditional on the board itself providing a certain proportion, usually one-third, of the amount required for the purpose for which the grant is given. The "grants" system has been criticized as unfair. The aggregate and even the proportions of total expenditure received by individual boards in the form of grants have all along shown large variations and have not given universal satisfaction. The whole question has been referred to a special committee.

(3) *Tax on circumstances and property.*—The Act contemplates the levy of a "tax on persons assessed according to their circumstances and property" as a preliminary to an enhancement of the local rate. The idea was that non-agricultural residents of the rural areas (e.g., traders, artisans, cottage industrialists, public servants whether in service or retired and others) should bear a portion of the burden. The incorporation of this tax in the Act is a new feature of the boards' financial system. The maximum rate is four pies in the rupee. Small incomes up to Rs. 200 per annum are exempt, and the maximum amount of the tax is fixed by rule. The tax is in operation in seven districts and will soon be introduced in an eighth. Its introduction in seven other districts has been sanctioned by Government. The proposals of two other boards are under Government's consideration. The introduction of the tax in three other districts was notified in the gazette, but collection has been stopped by the boards. Two of these boards refused to impose the tax unless Government acknowledged liability to assessment on all the operations of Government within the district, including railways, the post office and canals. It is understood that this claim is an attempt to obtain additional income without the control which the grants system confers on Government.

(4) *Other sources.*—The three Kumaun division boards have a special source of income, viz., mill-rents. The aggregate yield in 1925-26 was nearly Rs. 40,000. In the case of all boards, cattle-pounds, ferries, school and hostel fees, medical contributions and subscriptions, property (including trees, grass, fruit, etc.) investments, and fairs and exhibitions are other considerable sources of income, which in 1925-26 yielded ₹ 10.79, 6.31, 4.04, 1.75, 2.11, 1.78, 1.35 lakhs respectively. There are also a number of miscellaneous sources. The total yield from all these sources in 1925-26 was about 33½ lakhs (equal to about 18 per cent. of the total income); within seven

years the increase in the income from these sources was a little over 20 per cent.

Main heads of expenditure.

351. The principal heads of expenditure are general administration (10·16 lakhs), education (95·40 lakhs), public works—mainly roads—(48·47), medical relief (18·45), public health and vaccination (5·74), cattle-pounds (4·76), veterinary relief (2·95), fairs and exhibitions (1·40) and arboriculture (1·02). Education consumed nearly 50 per cent., public works 25 per cent. and medical and public health nearly 13 per cent. of the total expenditure. Nearly three-fourths of the expenditure on education, one-third of that on medical relief and sanitation, and one-fourth of that on roads was financed from grants made by Government. These figures relate to the year 1925-26, but are fairly typical.

Control by the local Government.

352. The Act contains provisions for external control by (a) the provincial government and (b) the commissioners and district magistrates and other officers of Government.

(a) *Major powers.*—In case a board defaults in the performance of an obligatory duty the local Government can fix a period for its performance and if the board fails to comply they can appoint the district magistrate to perform it at its expense. In case of persistent default or exceeding or abusing of powers the local Government can, after considering the board's explanation, and stating their reasons, dissolve it or supersede it for a specified period. In the former case a fresh election takes place; in the latter the administration is temporarily transferred to the person or persons appointed by Government in that behalf. The local Government have powers under the Act to make rules consistent with its provisions and even to make new or superseding regulations in respect of certain matters which are intended by the Act to be dealt with in the first instance by the boards. The local Government can compel a board to make bye-laws in the interests of the "health, safety and convenience" of the rural public and for the "furtherance of administration." The boards' power to impose or abolish either or both of the taxes or to alter the rate is also subject to the local Government's previous sanction; the decision as to the tenantry's share of the burden of taxation, if and when the local rate is enhanced, rests with the local Government. They can grant exemptions—individual or general—in respect of the taxes, and can require the board to remedy defects in the tax or in the method of its assessment or collection, and in case the board defaults can suspend or reduce or abolish the tax.

(ii) *Minor powers.*—Certain minor powers of control and influence are also left to the local Government, e.g., (i) the selection of the nominated members, (ii) appointment of a chairman in case the board fails to elect one within the prescribed time, (iii) acceptance of the chairman's resignation and his removal for habitual failure to perform his duty, (iv) sanction for continuing as an elected chairman beyond two terms, (v) sanction of remuneration or travelling allowance to a member, (vi) removal of members for persistent non-attendance, flagrant abuse of powers, etc., (vii) suit against a member or members in respect of loss or waste or misapplication due to his or their neglect or misconduct or (viii) compulsory co-operation with other local authorities for common benefit, (ix) power to prescribe the minimum scale of staff and to require the appointment of a secretary, (x) special powers in respect of government servants employed by the boards or vice versa, (xi) power to compel a board to employ at its expense adequate police for the protection of fairs and exhibitions, (xii) appointment of government officers other than commissioners and district magistrates to exercise certain powers of control and inspection (see below).

353. The commissioners and district magistrates are **em-Control** powered to (i) inspect (or cause to be inspected) a board's im-**by govern-**movable property and works in progress, (ii) call for and inspect **ment** papers, (iii) require reports, etc., to be furnished, (iv) record **officers.** observations for the board's consideration. All these powers and the powers of inspection can also be exercised by other officers appointed by Government in this behalf. The commissioner and the district magistrate can prohibit the execution or further execution of a resolution or order if in his opinion it is likely to cause obstruction, annoyance or injury, or danger to human life, health or safety, or a riot or affray. In such cases the local Government have to be informed forthwith. In case of emergency the district magistrate can, if he deems it necessary for the safety or the protection of the public, take such action as the board can, and can direct the expense to be paid by the board or from its funds. Immediate report to the commissioner has in such cases been prescribed by the Act itself. The commissioners and district magistrates have also certain other minor powers of control under the Act and the rules.

354. Apart from the triennial elections there is no **Internal** vision for the exercise of control by the electorate; there is no **control.** "initiative" or "referendum." The members of a board can pass a vote of censure or no-confidence in the chairman or

vice-chairman. But there is no provision in the District Boards Act (corresponding to the one which was introduced in 1926 in the case of the municipalities by a private bill) for enforcing his resignation.

(ii) *Working.*

Elections.

355. Since the passing of the 1922 Act, two general elections have been held; both were very keenly contested. The first elections were held at a time when the *swarajist* party had just emerged triumphant. The psychological background prepared by the non-cooperation movement stood it in very good stead at the elections. A number of boards were captured by this political party; on many others they formed an influential and vocal minority. At the next elections held in December, 1925, there was, generally speaking, a revulsion of feeling against their outlook and their administration; unfortunately to a large extent caste and communal feeling influenced the voters. The elections were in most cases keenly contested. A majority of the old members lost their seats. A number of election petitions were filed but very few were successful. As in the municipal elections *swarajists* were generally replaced by candidates holding less extreme political but more pronounced communal views.

Chairmen and vice-chairmen.

356. None of the first boards had a nominated chairman. In connexion with 1925 general elections only one board failed to elect a chairman within the prescribed time, and Government had therefore to nominate one. The election of chairmen and vice-chairmen created unusual excitement. At the end of 1927 all the boards had Hindu chairmen, the only exception being Aligarh where a Muhammadan's elections was due to the fact that he happens to be a landed magnate with great influence and personality. A Muhammadan has recently been elected chairman of the Muzaffarnagar board. Communal feelings were entirely responsible for the monopoly of the chairmanship of practically all the boards by the Hindus. Several boards, however, elected Muhammadans as vice-chairmen.

Meetings and attendance.

357. The lack of vitality from which the old district boards suffered was responsible for the poor and irregular attendance of non-official members resulting in the removal of two members (in 1921-22) and in the large increase in the number of meetings proving abortive for want of a quorum. The first year after the boards' reconstitution showed an all-round improvement. Business was gone through with the smallest number of meetings; abortive meetings were fewer and the percentage of adjourned ones went down even more.

The average percentage of attendance (60) was substantially higher than in the previous year (45); in one district it was as high as 91.2. But this improvement was not maintained. Methods became unbusinesslike and debates desultory and even irrelevant. The numbers of meetings, and of adjourned and abortive meetings, all went on increasing till fresh elections introduced new blood and revived interest. The tendency to multiply the number of meetings was deprecated by Government as being inconvenient and expensive to members, but no appreciable change resulted; the will to take action against habitual absentees was lacking.

358. The unwillingness of most of the new boards and Committees their chairmen to delegate substantial powers to, and place adequate funds at the disposal of, *tahsil* committees, rendered nugatory the intention of the framers of the 1922 Act in providing for such committees with a view to relieve the boards of their numerous and onerous duties. Some boards were sceptical as to their utility and in spite of the statutory obligation did not even form them. This unwillingness was not exclusively due to jealousy; there is force in the contention that the field of choice of suitable members for these committees is very limited. As one chairman remarked, "the representatives of a *tahsil* may be an ill-assorted collection of incapable individuals." Government now consider that, in spite of the success which attended the work of a few *tahsil* committees, the majority of them proved failures and that the experiment is not worth pursuing any longer. Departmental or special committees at head-quarters have, however, been a normal feature of the boards' method of work. For them there is usually a sufficient choice of talent. Delegation in favour of such committees was much more congenial to the boards and was common. Most districts have reported useful work done by them, especially by those dealing with finance, education and public works.

359. While the boards would not delegate their powers to *tahsil* committees, they themselves were in general unbusinesslike. Interference on the part of individual members with the postings and transfers of the staff—specially educational and pound-keepers—led to administrative deterioration. Government watched the situation and acting on a recommendation made by a conference of the representatives of district boards—chairmen and members—made a rule vesting in the chairmen a large number of the boards' powers of control over the educational staff. In 1927 an *ad hoc* committee appointed by Government (under the chairmanship of the director of public Establishment of education committee

instruction) recommended that the District Boards Act be amended so as to enable the detailed administration of the boards' educational systems to be made over to special educational committees (containing a few non-member experts). The committee also unanimously agreed that the Government's educational inspecting staff should be placed in their right place in the system. An amending bill was drafted on these lines. It passed the United Provinces legislative council without any opposition from the council or from public opinion early in 1928. The extension of this experiment of compulsory delegation of powers to other important fields of the boards' work is under consideration.

Finance.

360. The aggregate income of the boards in 1920-21 was 153 lakhs; in 1925-26 it rose to 191. But the rise was very largely due to increase government grant. Income from the local rate has hardly expanded; it was 71·55 lakhs in 1920-21 and 72·38 in 1925-26. "Other sources" yielded a slightly progressive income: the rise in the course of six years was about five lakhs. But even now the aggregate income from sources other than government grants and the local rate is only about 18 per cent. of the total. Apart from government grants, the boards' resources have so far proved incapable of much expansion. The present minister is of opinion that the system devised by the 1922 Act has not had sufficient trial. Speaking generally, the boards have been unwilling to utilize their powers of taxation, limited though they are. This unwillingness is not entirely due to a desire to stand well with the electorate. The yield from the circumstances and property tax is small (0·93 lakhs in 1926-27), its assessment and collection are difficult and unduly expensive—at any rate at present. Hence only twenty boards have introduced or even proposed it. The incidence of taxation per head of population was two annas five pies in 1921-22; after five years it rose slightly to two annas nine pies; the incidence of income (excluding balances) rose from six annas eleven pies in 1921-22 to only seven annas ten pies in 1926-27. In 1918-19 the boards had a surplus of about 16 lakhs; in 1921-22 this was converted into a deficit of 14 and in the next year of 27 lakhs. The position has improved since. From 1924-25 their budget taken as a whole has been balanced; but meanwhile their cash balances and invested funds have gradually diminished. Some boards had to frame deficit budgets. Government summed up the position in 1927 as follows:—

"The majority of the boards were unable to meet expenditure from revenue and had to adopt various devices in order

to balance their budgets. Despite the precarious condition of their finances, none of the boards except those of Lucknow and Moradabad used their power of taxation in order to augment their income. This is regrettable. If a satisfactory standard of service is to be maintained, a standard such as the boards themselves aim at, the resources at their disposal must be permanently increased. This can only be done by resolutely facing the problem of local taxation and the unpopularity connected with it. Government grants have been liberally given in the past and will continue to be given in the future; but this source of supply cannot, nor should it be expected to, meet the whole of the demand. And for some years to come the provincial finances are not likely to be able to provide greatly increased grants to local bodies."

Referring to the small yield of the circumstances and property tax Government added "it is difficult to see how any board will be able to avoid the enhancement, ultimately, of the local rate." Government did indeed find that the boards as a whole tried to keep their permanent expenditure below their permanent income, but the margin was everywhere small. Nowhere was there an appreciable surplus available for original works. The balance between income and expenditure was only maintained by the starvation of essential services. Financial policy stopped short at education—the one subject capable of exciting real interest. Even under such circumstances "too often are proposals of real merit rejected on the score of lack of funds, and then the money thus saved is frittered away on minor matters which for some reason, often of a personal nature, happen to have an attraction." But the desire to cover recurring expenditure by recurring income was an encouraging indication that most boards had grasped the first essential of sound finance. It is only fair to add that the financial embarrassment in which many of the new boards found themselves "was mostly not of their own creation but was inherited from their predecessors." Government have appointed a committee (under the chairmanship of the senior member of the board of revenue) to inquire into their financial position including the question of government grants. Its work is still going on.

361. The boards cannot as a whole be said to have fully exploited their "own sources of income." This can be illustrated by their treatment of cattle-pounds and ferries.

Failure to develop resources...

(i) *Cattle-pounds*.—These are a source of substantial though fluctuating income. To some boards they are a valuable asset, e.g., in Naini Tal where they yield about half of the board's income from its own resources. They are also an

essential and important feature of rural economy in this agricultural province. But they did not receive their attention they deserved. Income rose from 7·81 in 1921-22 to 10·66 in 1926-27. The first reformed boards went in for an increase in the number of pounds; the rates of fine on account of impounded cattle were enhanced in 1924-25, and enabled the income to jump from 8·12 in 1923-24 to 10·79 in 1925-26. But the salaries of pound-keepers and herdsmen had to be substantially raised; there was here and there a tendency to employ superfluous staff and to pay it more than was necessary to secure men of the type required. Hence the yearly surplus did not up to 1924-25 vary to a very appreciable extent. The big jump in 1925-26 was due to the enhanced rates of fine. Apart from a certain amount of inevitable leakage of income which has always been a feature of the administration of cattle-pounds, the marked variations of prices realized for impounded cattle put to auction and of the percentages of expenditure to income show that the administration of pounds has left ample scope for better management. Misappropriation of public money did not always result in the strong disciplinary action (usually prosecution) which used to be almost the rule under official chairmen. Cases have come to light in which the board left the odium of such action to the magistracy, and even tampered with the evidence for the prosecution. Sale-officers were mostly apathetic and sometimes even untrustworthy. Malpractices on their part have not been unknown. The exceptional cases of a board which, perturbed at the fall in the average sale-price of cattle, appointed a trustworthy and capable member to look after pounds or which appointed special pound-committees for each *tahsil* only prove the general rule. Not only did pounds receive fewer visits but inspections when made were often useless owing to the inspector's ignorance of pound administration. Cases—which fortunately were exceptions and not the rule—have come to light in which inspection notes were recorded not on the spot but at the house of the so-called inspecting member. Here and there such notes were even dictated by the pound-keepers.

(ii) *Ferries*.—The administration of ferries has a similar tale. Income rose in the course of six years from 4·52 to 5·99. But expenditure also rose. It is, however, in the management of the ferries that the standard showed distinct deterioration. Auctions of the right of collecting tolls were not conducted in such a way as to secure the maximum profit. Inspections were not punctual, Government had to impress on the district officers that they were responsible for seeing that ferry

boats were kept in proper repair. (They are now inspected by officers of the general administration department in addition to the staff and the members of the boards.) Such divided responsibility inevitably gave rise to occasional friction. The district officer's position is anomalous. Short of drastic action—suspension of a defective boat or the prosecution of the licensee—he has no control over the administration of the ferries, and yet he is responsible for the safety of the public using them.

362. The heavy increase in the cost of general administration (from 6'00 in 1920-21 to 10'16 in 1925-26) was to a certain extent inevitable. The services of the revenue and other departmental staff ceased to be available to the reconstituted boards to the same extent as before. Honorary secretaries were replaced by paid officers. Some boards had to employ qualified engineers. Salaries had to be raised. Audit now costs about Rs. 50,000 whereas in 1922-23 it cost only Rs. 16,000. Election expenses are a heavy additional burden recurring every three years. Postage charges have gone up. Travelling allowances have to be paid to chairmen. But there is another side to the shield. One of the weakest points of the boards has been their almost universal incapacity to withstand the staff's clamour—sometimes accompanied with intrigue—for more pay. Travelling allowances absorb much more than before; they went up in one year from Rs. 21,000 to Rs. 49,000. The boards have practically no expense to incur in connexion with the collection of the local rate or the receipt of government grants. Their income from other sources in 1925-26 was 33½ and their expenditure 191 lakhs. An expenditure of 10'16 lakhs on general administration for the handling of these amounts cannot be said to be very economical, especially when no costly superior staff—executive officers, engineers and so on—is maintained. There undoubtedly is scope for economy in some directions as there is for spending more in order to secure higher efficiency in others.

363. Little regard to economy has been paid by some boards. The Rae Bareli board spent nearly Rs. 4,000 (in 1925-26) on the upkeep of a motor car for its chairman. The Bahraich board paid Rs. 128 as travelling allowance to its chairman, secretary and their staff for a trip to Cawnpore for the purchase of a tent, and spent Rs. 350 on three cycles for the chairman's orderlies. A number of boards failed to maintain sanctioned schedules of rates in connexion with civil works as required by the accounts rules; in many they were not adhered to in the preparation of estimates. Such cases were

no doubt exceptions, but they indicate the scope that exists for economy. The leakage of miscellaneous income is a problem before many boards, but few have as yet evinced effective interest. The difficulty lies in the lack of an organized system for the supervision and inspection of scattered works and institutions. Before their reconstitution, the boards did not discharge this function. A few non-official members had shown zeal in this direction, but, broadly speaking, this duty had been discharged by government servants—mainly of the revenue department. Government recognized that the boards could not be expected to create at a moment's notice an agency for this purpose, and that pending its organization the old facilities should be continued. The progress made by the boards in evolving their own system is uneven. Special departmental agency for inspection must be very costly; the work must therefore devolve on the members. But the average member is not qualified to be an efficient inspector, and the boards' handicap continues. To some extent it is inevitable, but it is not clear that the boards as a whole have grasped the essentials of the problem or have made a serious attempt to tackle it.

Audit.

364. The audit of the accounts of the local bodies is conducted primarily for the information of the Government but can be of much assistance to the boards if proper attention is paid to the results. Such attention was not, however, always paid; some boards were dilatory in the disposal of the audit notes and a few even left the matter to the very staff which was to blame for the irregularities. Even the official boards' accounts did not use to be uniformly satisfactory. Service under the district boards attracted a lower type of clerical talent, and their staff was, generally speaking, not so efficient as the staff in the government offices. But even after making allowance for the greater restraint which the auditors undoubtedly observed when the boards had official chairmen, it must be confessed that the keeping of accounts and the observance of the rules shared deterioration in common with many other aspects of the boards' administration. Irregularities and embezzlements have been more numerous. Some are of a type unknown before, e.g., advances to servants and even members without taking effective steps for their refund or adjustment. Government had to make a rule prohibiting advances to members altogether. A serious embezzlement took place in the Lucknow board; the chairman withdrew Rs. 6,700, and after retaining it in his possession for sixteen months, disappeared with the money. The amount was realized from his sons, but no further action was taken.

365. The reconstituted boards inherited the "expansion" Education. scheme which had been launched, prior to the inauguration of the Reforms, by Sir Harcourt Butler. Between 1918-19 and 1922-23 expenditure rose substantially from 40 to 85.24 lakhs. In spite of the increase in the number of schools and scholars-commissioners and the official chairmen of the boards were "somewhat despondent about the progress made in the sphere of primary education." The increase in the number of scholars was hardly commensurate with the increase in the number of schools, or with the increase (even after allowing for the rise of salaries, etc.) of expenditure. The districtwise rate of expansion was uneven; even adjoining districts showed variations which could be explained. While some districts showed an encouraging rise in the number of scholars, thirty-five districts could not raise it more than 20 per cent. and five actually registered a fall. A test carried out in a certain district in 1922 showed that the nominal enrolment was unreliable. The expansion though unprecedented fell short of even the limited ideal aimed at. The ineffective and uneconomical character of the attempt to expand primary education of a type not entirely suitable to the needs of the countryside on a voluntary basis did not take long to demonstrate itself. Government placed an officer on special duty to examine the ground with a view to secure better results from the total outlay and to introduce compulsion. The District Boards Primary Education Act was in due course passed to enable district boards to apply compulsion. Its preamble stated that "it was the declared policy of the United Provinces Government that universal free and compulsory primary education should be reached by a definite programme of progressive expansion." Government agreed to bear two-thirds (and in some cases even more) of the extra recurring cost of compulsory schemes; the introduction of such schemes was left to the boards' initiative, but Government took power to take the initiative. Primary education for boys has been made compulsory in selected areas of twelve boards. Four others have applied to Government under the Act; these applications are under Government's consideration. The director of public instruction is in correspondence with twenty-two other boards in connexion with their desire to introduce compulsion. Four boards have deferred their schemes for the present, and only six have, for financial reasons, expressed their unwillingness to utilize the Act. The boards' educational expenditure is nearly two and a half times what it was in 1918-19; recurring grants by Government cover almost 70 per cent. of the recurring expenditure. The growth in the number of schools (boards, aided

and unaided) and in the number of scholars (general, female, Muhammadan and the depressed classes) has been described in detail in the memorandum on "the growth of education." The administration of the education system is now—under the District Boards Amendment Act, 1928—on a committee basis.

**Communica-
tions.**

366. The boards' resources proved unequal to the strain imposed by the rise of prices and wages during the war and especially the post-war period. One of the branches which had to suffer most was communications. By 1922-23 the cost of constructing and keeping in repair a metalled mile had nearly doubled. The road system was evolved on a basis not quite logical, and the official boards have been criticized for devoting more attention to and spending more money on roads than was strictly necessary. By 1921 the road system had begun to be painted in gloomy colours. Commenting on the district officer's and the commissioner's description of the metalled roads in Etawah as being "in a state that defies description," Government stated "the position in Etawah is not exceptional. Every report mentions serious deterioration. The plain fact is that the roads everywhere were starved. The real trouble is financial, and there is no remedy short of a large increase in income, or alternately of the abandonment of a proportion of the roads which it cost so much labour and expense to construct." Many roads were abandoned and were allowed to relapse into the unmetalled condition, and Government had (in their review of the boards' administration in 1922-23) to sound a note of warning as some boards still persisted in "adding to their commitments." The deterioration continued because, though the public works department was responsible for maintaining the roads, the board had not sufficient funds to enable it to discharge that responsibility satisfactorily. This was the legacy which the reconstituted boards inherited from their predecessors.

**New respon-
sibilities.**

367. Meanwhile on the recommendation of the public works department reorganization committee (1922) Government decided to make over the management of the local metalled roads to the boards themselves; over 4,300 miles of road were thus transferred. All boards except Bareilly and Dehra Dun shouldered the new responsibility without realizing what it meant. The boards found to their disappointment that under their direct management the upkeep of roads cost as much as under the public works department's. Their trouble has been mainly but not entirely financial. Few boards have evinced a clear grasp of the details of the road system and of

the need for a properly qualified staff and for regular allotments for repairs. Although the present scale of expenditure on roads is appreciably higher than when the boards had official chairmen, and wages and prices have fallen a little, there is little evidence that the boards spend their money systematically or efficiently. More money is needed even partly to regain the position gradually lost since 1918; but apart from what can be done by increased efficiency in the application of the available funds, it is difficult to see how the boards' present financial system can enable them to find the funds.

368. Government have therefore decided to go to their rescue. The boards were consulted whether they would agree to the metalled roads being resumed by Government, but the suggestion was, generally speaking, rejected. The public works department reorganization committee had recommended a reclassification of the road system. A scheme has now been prepared by which those few roads which are not already provincial and which connect (a) this province with another province or state, (b) divisional head-quarters or (c) large pilgrim centres are to be made provincial, and the boards are to be entirely relieved of their cost. Of the remaining roads in their charge the Government will give a grant of half the cost of those roads which connect (a) district head-quarters or (b) the district with the *tahsil* head-quarters, provided that there is government supervision of the work done on these aided roads; if the work done is found to be bad, the grants will be withdrawn. In this way the district boards will be relieved of expenditure amounting to nearly 8 lakhs, and this amount will be available for the maintenance and improvement of the other roads of purely and local and not provincial importance. This scheme did not come up for discussion in the legislative council but the budget provision for it was passed.

369. Government have also carried out experiments with American road-grading machines on unmetalled roads with a view to reduce the cost of maintenance and the time occupied in repairing. This may prove a great boon to the boards and may solve one of the difficult problems concerning unmetalled roads. The expenditure on unmetalled roads is nearly 7 lakhs a year; effective expenditure is even more difficult to secure than in the case of metalled roads, and there is little doubt that at present very little result is being obtained by the boards from this not inconsiderable outlay.

370. In the sphere of medical relief also the old boards were seriously handicapped by the increasing cost of medicines and surgical appliances and the rise of wages including

Remedial
action.

New experi-
ments.

Medical
relief.

the salaries of medical officers in charge of dispensaries. Rural dispensaries were originally established on the theory of endowments and voluntary subscriptions. These, though never substantial, gradually fell off, and their decline aggravated the boards' difficulties. The contributions made by municipal boards towards the cost of maintaining dispensaries situated within municipal limits had been fixed long ago and had become inadequate; the response to the district boards' invitation to raise them resulted in controversies which are still going on. The reconstituted boards' difficulties were still more acute. Prices had by the middle of 1923 been more or less stabilized. But the decline of the so-called voluntary subscriptions was even more rapid when district officers ceased to be the chairmen. While raising the salaries of officers of the subordinate medical service in charge of district boards dispensaries Government made a contribution towards the increased cost for the last year of the old boards, but a warning was given that the contribution would not be renewed and beginning with the very first year of the new boards it came to an end. The boards' medical budget did not fall, but their difficulties grew more acute. Some changes had to be introduced. Government permitted the boards to close down dispensaries of lesser importance or to staff them with directly recruited Agra-trained men. A number of boards took advantage of this concession. Some boards converted their western dispensaries into those of the indigenous type. Government had to come to the rescue of the district boards by framing a set of rules for an equitable apportionment of the municipal share of district boards' medical expenditure. Government's idea was that these rules should be enforced only if—as often happened—an amicable settlement was not arrived at. Meanwhile the system of travelling dispensaries had been found to be of doubtful utility. Government gave the boards the option of closing them provided the provincial share of the cost of their maintenance was earmarked for medical purposes. All but four boards decided to close their travelling dispensaries.

New schemes. 371. To counteract this curtailment of facilities for medical relief two schemes were initiated by Government, viz.,—

- (1) Assisting the boards to open new dispensaries of the western type by offering to grant one-half of the non-recurring and recurring cost. The standard plan and equipment were revised so as to reduce substantially the initial non-recurring cost.

Twenty-five new dispensaries have so far been opened under this scheme.

- (2) Assisting the boards with grants for subsidizing registered medical practitioners—both graduates and diplomates—willing to settle down and practise in the rural areas.

The former scheme has achieved fair success, but the hopes built on the latter have not materialized. Although it was ascertained that there were two hundred and sixty-eight rural centres where such subsidized practitioners could settle down, the present number of such practitioners is only thirty-eight. Few private practitioners are at present prepared to work outside the towns. With the expansion of the system of subsidies from provincial revenues to dispensaries run on indigenous lines, the boards opened a number of such dispensaries. Many of them notably in Lucknow, Farrukhabad and Etawah are reported to have done excellent work and to have attracted large numbers of patients. Of their popularity there can be no doubt. Many of the hospitals at head-quarters stations were reported to be ill-housed and ill-equipped, Government therefore considered a scheme for providing recurring and non-recurring grants for their improvement. The proposal for provincializing them altogether was rejected.

372. The board of public health used to make grants to district boards for the improvement of rural sanitation. But the grants were so small that it was difficult for the boards to devise projects cheap enough to be covered by them. Expenditure from the boards' own resources was almost negligible. In 1923 Government expressed a doubt whether the subject had been approached from the right side; their analysis of the position revealed three main defects, viz., the lack of an organization necessary for the carrying out of a mass of small sanitary projects, the inability of the small sums (which alone the boards could afford) to effect appreciable results, and the average villager's indifference to the sanitary condition of his surroundings. **Sanitation.**

373. This examination led to the formulation of the district health scheme; it was applied to two districts only as an experiment, but its utility was established and it was rapidly extended and now obtains in twenty-six districts. As funds permit it will be extended to the remaining ones. Every district in which the scheme is in force enjoys the services of a medical officer of health and other necessary staff working under the control of the director of public health. Besides the **Rural health scheme.**

control of epidemics, the supervision of vaccination, the inspection of villages with a view to devising simple measures to prevent disease, the inspection of schools and students and the education of the people by lectures and demonstrations given in villages and schools and at fairs and gatherings are among the duties of this staff. The experiment was the first systematic attempt made in these provinces to grapple with the problems of public health in the rural areas. The rural health service being new and inexperienced has not so far been able to achieve much in the sphere of rural sanitation, and the boards have in general pursued the old policy of sporadic effort—construction or repair of wells and drains, fitting the wells with sanitary pumps, etc.

Propaganda.

374. The lack of interest in sanitation on the part of the boards reflected the ignorance of their constituents and the apathy which that ignorance bred. The need for a diffusion of knowledge of elementary hygiene and the causes of disease was recognized. Hence Government decided to expand the activities of the hygiene publicity bureau and laid down the carrying on of propaganda work as “perhaps the most important function of the rural health staff.”

Attitude of the boards.

375. These developments, however, took place in the department of public health. They have been imposed on the boards, not proposed by them. The boards continued to display little interest. In spite of the fact that a number of them had at their disposal the services of a health staff and a qualified engineer, the unspent balance of the sanitary grants amounted to substantial figures every year. (In 1925-26 this balance was Rs. 70,000.) Their expenditure on sanitation did indeed go up by about 75 per cent. in the course of six years (viz., from 1·35 in 1921-22 to 2·31), but even now it is extremely small both absolutely and as a percentage of their total expenditure. Meanwhile Government have stepped in with various public health schemes which it was impossible for the local bodies to finance. The control of epidemics and the diffusion of knowledge have been definitely recognized as essentially provincial and not merely local problems.

Vaccination.

376. In the rural areas vaccination is not compulsory. But the civil surgeon of the district used to be—and in those districts to which the health scheme has not been applied, continues to be—responsible for educating public opinion in favour of it. The vaccinating staff is paid from the boards' funds. Expenditure did not vary much; it averaged 3 lakhs a year. Vaccinators' salaries had to be raised, but more work was prescribed as standard. There was a tendency in some boards

to look askance—sometimes on pseudo-religious ground— at expenditure on vaccination, and to reduce the staff. Government had to prescribe the minimum strength for each board. But the measure of protection against small-pox epidemics afforded by voluntary vaccination in the rural areas is not adequate. The province has been remarkably free from small-pox epidemics, but it cannot afford to run increased risk of their reappearance. Government have therefore decided to introduce legislation for compulsory vaccination in the rural areas.

(iii) *The Ministers and the boards.*

377. The first minister in charge of local self-government was a prominent liberal, Pandit Jagat Narain. His policy was to avoid official interference with the local bodies as far as possible; but he had very little to do with the reconstituted boards' working except that he got the 1922 Act through the council. Though the subject had been under Government's consideration since 1918, the bill did not in fact receive sufficient attention. It was decided to model it on the Municipalities Act. All the main principles were left unsettled; the administrative policy was not adequately discussed. No clear definition of local and provincial functions or of local and provincial finance was made. Not only was there far too little examination before the bill was framed; but the bill was rushed through the council in such a way that only the communal and taxation clauses received adequate discussion. The boards were abruptly deprived of an exceptionally strong executive and yet the bill contemplated the creation of no substitute for it. No guidance was given to the boards; they were—speaking broadly—left to shift for themselves. The general atmosphere too was unfavourable; a less liberal scheme of legislation for reconstituting the boards or a stronger attitude on the minister's part in dealing with the boards' shortcomings would undoubtedly have stimulated the growth of extremism in the towns. Everything conspired to bring about something like chaos during the birth and early infancy of the new boards.

378. The first minister was succeeded by two landlord ministers. Raja Permanand held office for only seven months. He was succeeded by Rai Rajeshwar Bali who followed substantially the same policy as the first minister. He resumed from the commissioners the power of nominating members and exercised it direct.

**The third
minister.**

379. The policy of the present minister also is to avoid direct interference. His view is that control should be exercised indirectly and chiefly through the system of grants coupled with definite conditions. Under abnormal circumstances the law still allows plenty of control to the local Government and their officers. Even under normal conditions the extent of permissible control is reasonably sufficient. One board only has been superseded for maladministration and that for a period of only two months. The maladministration was sufficiently serious as to justify supersession for a longer period. This is the only instance of Government's exercise of their important powers of control over the reconstituted boards. The less drastic powers of control have been exercised more frequently. Twenty members have been removed for failure to discharge duty or abuse of powers. Commissioners and district magistrates have in some cases used their powers of suspending the boards' resolutions, but the district magistrates' emergency powers have been rarely exercised. Although Government have generally supported these officers, there is a feeling of uneasiness as to the attitude which Government may take up. Generally speaking the successive ministers have not seen their way to go as far as these officers would, in the interests of efficiency, have liked Government to go, the main reason being the minister's greater regard for the principle that the art of local self-government must be learnt through experience and even through mistakes.

**Standing
committee.**

380. A standing committee was created in 1923 in response to a resolution in the council to advise the minister on local self-government, public health, and medical questions. Its meetings in the past have been infrequent, and little is claimed for it in the way of achievement, except that it presents to the minister an opportunity of discussing controversial subjects informally with members of the council.

**Special
committees.**

381. Apart from the committees in connexion with the District Boards Bill (1922), a number of committees were appointed to examine special branches of district board administration. Most of them dealt with education (these have been described in the memorandum on education), and one with public health in the rural areas. This committee recommended the extension of the public health scheme. An important committee to examine the board's financial system was appointed towards the end of 1927.

(iv) The boards in the legislative council.

Legislation.

382. The circumstances in which the District Boards Act (1922) was passed have already been discussed. The council

shared the first minister's anxiety to endow the boards with a liberal constitution, and except as regards the taxation and communal representation clauses, hardly discussed the policy and principles underlying the bill. Government introduced two amending bills, one in 1926 empowering district boards to delegate powers, duties and functions to government servants, and the other in 1928 to enable the setting up of educational committees. Both these bills were passed without any opposition. A number of private bills were sent in but only one was enacted, and that in an amended form. That Act has enabled the Muhammadan elector of a *tahsil* to stand for election in any constituency situated in that *tahsil*. Among the important attempts at private legislation concerning the district boards were two bills to enable the members to pass a vote of no-confidence in the chairman. The mover of one was informed that certain clauses of the bill required the previous sanction of the Governor-General; he took no further action. The other bill was published and the report of the select committee was approved, but the mover ceased to be a member of the council. The present minister does not accept the policy underlying the bills. It is in force in the municipalities, and has tended to undermine the chairman's position. The district boards are already very weak on the executive side and the minister does not propose to make them weaker. An important piece of legislation which vitally concerned the district boards was the U. P. Primary Education Act (1926) empowering district boards to introduce compulsory primary education in the rural areas.

383. In the course of the budget debates all the three **Budget** councils have almost consistently championed the cause of the **debates.** local bodies, especially the district boards; as regards grants for the local bodies there has been little difference between the liberal or the *swarajist* or the landlord parties' policies. All the councils, have been jealous of government interference with or encroachment on the boards' powers. In spite of the fact that the boards were empowered and expected to utilize their powers of taxation, Government have been consistently advised to give more and more financial assistance to enable them to maintain and improve their standard of administration; few members have shown an effective grasp of the principles of local finance. A subject which aroused keen controversy was the alleged participation, interference and use of undue influence by government servants in connexion with elections to the local bodies and the council. This even came up in the form of two resolutions (see below).

Resolutions. 384. Resolutions in the council dealing specifically with the district boards have been neither numerous nor important. Early in 1921 the appointment of non-official secretaries was recommended. District officers were chairmen and no board had asked for non-official secretaries. Government's sanction was not even required. The boards were free to appoint non-official secretaries, but the medium of the council was utilized for making the demand. No action was taken by Government on the resolution. Two resolutions dealing with the alleged interference of government servants with elections were adopted in January, 1926. Specific cases were cited on the floor of the house. In consequence an inquiry was held into the conduct of a district officer. The result of the inquiry was to exonerate the officer from the criticisms that had been made. The report was laid on the table of the house and no further criticism was made. A new paragraph was, however, inserted in the Manual of Government Orders and the attention of district magistrates was drawn to it. Other resolutions recommended the stoppage of the Burma meat trade, the provision of more dispensaries, the establishment of dispensaries for medical relief on indigenous lines, the training of *dais*, rules relating to staging houses, etc.

(v) *Difficulties.*

**Admin-
istrative.**

385. Owing to the district officers being their chairmen the old boards had an exceptionally strong executive, viz., the general administrative machinery of the district. There was no need for special agency for the boards. The boards thus inherited no strong and trained special executive; the Act did not contemplate or permit one to be organized *de novo*. Generally speaking, it envisaged the whole board and for special purposes the territorial (*tahsil*) and certain departmental committees at headquarters as the normal administrative units. As already stated the former type of committee has already proved a failure, and the latter though fairly successful has not been able to—indeed it was not designed to—take the place of a trained executive agency. The weakness of the board's executive action has been due to the defective policy underlying the Act; it lay at the root of most of the deterioration in the standard of administration in so far as it was not caused by financial stringency.

Financial.

386. The financial system inherited by the boards was also thoroughly disorganized. It had strained and in some cases even exhausted their predecessors. Some of them had been compelled to sacrifice not only their cash balances and

investments but even roads and medical relief. But the cumulative effect was felt more by the first new boards than by their predecessors. Under the 1922 Act they have more financial independence, but experience has already demonstrated its limitations. Many boards have an arguable grievance on the score of uneven treatment in the matter of government grants.

387. The boards were inexperienced. So long as the district officer with all his immense traditional prestige continued to be the chairman *ex officio*, non-officials had in fact little scope for real training in responsible work. Besides, the rural boards' members could not (and do not) compare with the professional classes who have all along claimed a large and a progressively creditable share in municipal administration, and yet they were all of a sudden called upon to shoulder enormous responsibilities. Government's policy was not only to avoid interference but even helpful action if it was liable to be misconstrued as interference or encroachment. The boards themselves were jealous and temperamentally suspicious. The boards with a *swarajist* creed or under its influence were not disposed to compromise on matters causing friction, specially with government officers.

Lack of
experience
and
guidance.

388. The position of government officers in relation to the boards is not an easy one. Active interest is liable to be misconstrued as interference. A policy of inaction on the other hand may be regarded as a proof of apathy. Some officers have risked the one charge others have preferred to risk the other. In some cases district officers have succeeded in being definitely helpful.

Attitude of
government
officers.

389. Matters on the whole improved with the wane of *swarajism* and the advent of the second boards. Unfortunately they were caught in the rising tide of caste and communal feeling. The minister in charge remarks "such feeling was rampant in all the boards, so much so that the appointment in the district boards service of a Muhammadan was a matter of a pleasant surprise. The failure of the boards to attain a certain standard in their administration is to a very large degree due to the unfortunate narrow communal outlook. Generally speaking, there has been a sad lack of wider outlook on questions like the existence of slaughter houses, use of the Urdu script in the boards' offices, and the appointment of Muhammadans in the service of the boards."

Caste and
communal
feelings.

390. Thus the boards can with justice claim that the times in which their lot has been cast were for the most part "out of joint;" and that their achievement should be judged not by absolute standards but against the background of the

General
atmosphere-

seriously defective character of the legislation which only a few years ago called them into being, the difficulties which they inherited or for which they were not responsible, and the general political and communal atmosphere which they breathed ever since their birth.

(vi) *Conclusions.*

**Defects of
the old
boards.**

391. The old type of board served its purpose well. In every sphere except perhaps that of sanitation it had substantial achievements to its credit. Facilities for education were expanded, communications were improved out of recognition, medical and veterinary relief was organized and maintained on a sound basis, and minor matters such as pounds, ferries and roadside arboriculture received careful attention. But these boards suffered from one very serious weakness. They had no power to regulate their income according to their needs, and, when towards the end of their career, they were overtaken by the wave of rising wages and prices, their income ceased to suffice for their needs. They struggled to maintain the old standards, but the struggle exhausted their accumulated savings. To their successors they left a "crop of most serious financial embarrassments." Secondly—as Government time and again recognized—the old boards as a whole showed few signs of vitality; the majority of members displayed little interest in their duties. Their financial impotence was at the root of the problem; the duties were of a routine character and few questions of importance used to come up for discussion. The district officer dominated the meetings as much as the administration; his views and decisions were almost invariably accepted without question and often without even discussion. Cases are known where the resolutions used to be drafted in the district office and only the formality of a signature after a brief exposition of the agenda and the proposed action was gone through in the boards' meeting. Rural local self-government was almost a name. Government had recognized that the board's "emancipation from official leading strings was an essential item in the programme of reform."

**Record of
the new
boards.**

392. The history of their post-reconstitution work is a mixed record. In financial matters the hope that the boards would face the problem of taxation with courage and common sense has largely failed to come true. Even the existing sources of income have not been exploited in full, and expenditure has not been kept under reasonably sufficient control. There has been a persistent tendency to starve all services

except education. But for government grants the balancing of their budgets would have been an impossible task, and the sole financial policy of many boards has consisted of begging for doles from provincial funds. Some members of the legislative council have been inclined to encourage the boards in pursuing this policy. The standard of administration has remained low. Meetings have often been unbusinesslike, and discursive debates only too common. Communal friction has come to the surface in many districts—mainly in connexion with communal representation in the boards' services and questions of script and slaughter houses. Many members have yielded to the temptation to interfere in matters of detail; some in fact have evinced more interest in such details than in the control of policy. A strong and self-reliant executive could not grow on such a soil. Personal and communal considerations rather than the public interest have not infrequently been the chief factor in the decisions taken. Rules and regulations have not seldom been disregarded. Lack of adequate supervision of the staff's work has been an almost universal feature; weakness in taking disciplinary action has not been uncommon.

393. On the other hand the administration of the new boards has not lacked interest or incident. In many of the first boards with a *swarajist* majority or under the influence of that party political issues occasionally peeped in, especially in relation to the encouragement of *khadi*, scouting, patriotic songs and text books, the ideal of social service, observance of "national" holidays, educational ideals, discipline over students and the staff, attitude towards Government and their officers. But taken as a whole they did not, unlike their municipal contemporaries, permit themselves to be distracted by extraneous political issues. The second boards represented a revulsion of feeling against the outlook of their predecessors. They contained a larger non-political element—essentially rural in outlook. Since their coming into power political issues in the administration of local affairs have been much less in evidence. They have refrained from attempting the ambitious heights which their predecessors tried to scale in vain. But their achievement within self-imposed limitations has been more substantial.

394. Public opinion is being created; since the reconstitution in 1923 there has been only one occasion for the electorate to make its choice between parties and programmes. The defeat of many *swarajist* members at the 1925 elections was largely due to caste and communal feeling and also to some

extent to a revulsion of feeling against that party's political programme and ideals. Government's decision to vest in the chairmen the boards' powers of control over the educational staff was based on the recommendations of a conference which consisted of representatives of the district boards, and the amending legislation received universal support. But in the rural areas public opinion cannot yet be said to be much developed. The average villager still understands neither the opportunities nor the difficulties of his board. He expects things to be done for him; if they are not done or done badly he resents it; but, speaking generally, he cannot lay his finger on the cause nor devise the remedy. An enlightened and effective public opinion is the life-breath of local self-government; it is undoubtedly, though very slowly, growing and on very broad communal issues it can even now be stirred to action. But on the day-to-day administration of the boards its influence is as yet so weak as to be almost imperceptible. But the traditional habit of always looking up to the district officer has been gradually weakening, and this is the first stage through which the rural electorate must pass before it learns by actual experience that the remedy so far as local affairs go is largely in its own hands.

Conclusion.

395. The boards have had to contend against great difficulties, inexperience, lack of a trained executive, wide areas, weakness of public opinion, the defective nature of the legislation under which they have been working and lastly, and above all, the bitterness of communal feeling. In spite of these difficulties this Government were able in reporting in 1927 on the working of the Reforms to say that the work of the boards had on the whole been satisfactory, though still leaving much to be desired.

III—VILLAGE PANCHAYATS.

396. The Government of India in publishing their conclusions on local self-government in 1915 recommended that village *panchayats* should be established in suitable areas. In the same year a prominent landholder moved a resolution in the provincial legislative council suggesting that *panchayats* should be set up in villages in this province on an experimental basis. Thereafter the local Government placed two officers, one a member of the Indian Civil Service and the other of the Provincial Executive Service, on special duty to examine the whole question and to make proposals in regard to the constitution, functions and jurisdiction, etc., of *panchayats*. In 1920 the legislative council passed the Village Panchayat Act (VI of 1920), and in the following year Government notified a simple set of rules made under the Act. The Act made it possible for Government to establish *panchayats* with real, if restricted, judicial and administrative powers. Introductory.

397. A *panchayat* consists of from five to seven male residents of the circle to which its jurisdiction applies. That circle consists in some cases of a single village, in others of several adjoining villages. The district officer appoints these *panchayats* after informal consultation with the residents of the circle. Local opinion is brought to bear on the appointments by means of such consultation and has proved by no means ineffective. The district officer also appoints the *sarpanch* or president of the *panchayat*. He has also power to remove *panches* who are guilty of misconduct, incapacity or neglect of duty. Three members, including the president, are required to form a quorum, and of these three at least one must be literate. The *panchayat* is empowered to, but rarely does, employ a clerk. The system of appointment is designed to secure a representative *panchayat*. It is frequently impossible to find members of the depressed or backward classes who are suitable for appointment, but where suitable persons belonging to these classes have been found they have been appointed. Such members do not always take part in business relating to the higher castes but they have been found of special use where the business concerned persons belonging to the lower castes. Constitution of the panchayat.

398. The objects for which *panchayats* have been established are, according to the preamble to the U. P. Village Panchayat Act,— Functions.

- (1) to assist in the administration of civil and criminal justice: and also

(2) to effect improvements in the sanitation and other common concerns of villages.

They are therefore primarily judicial bodies and their administrative functions are of secondary importance. As judicial bodies they have jurisdiction in civil claims in respect of movable property up to the amount of Rs. 25 and they are empowered to take cognizance of petty criminal cases and of breaches of sanitation rules in villages to which the Village Sanitation Act has been applied. The only penalties which they are empowered to impose are fines. Selected *panchayats* can be invested with enhanced powers, civil and criminal. Their jurisdiction in respect of the matters with which they are empowered to deal is exclusive, subject to the district officer's power to cancel it in special cases, and subject also to the exclusion of specified categories of suits and cases. Legal practitioners are not permitted to appear before them. There is no appeal against their orders or decrees but district officers are invested with powers of revision. In addition to their strictly judicial functions they are required to make local investigation in criminal or revenue cases referred to them by the orders, or with the sanction, of the district officer, and they are empowered to conduct inquests into cases of suicide and accidental deaths. In their administrative capacity they are required to give reasonable assistance to officers of the Government when called upon, to cooperate with the district board in carrying out specific duties and to arrange for the improvement of education, public health and the supply of drinking water, and for the maintenance of village tracks and works of local public utility. The fees levied for the institution of suits and cases, fines imposed by *panchayats* and any contributions made by Government, local bodies or private persons are credited to a village fund which is solely at the *panchayat's* disposal and intended for the improvement of the circle and the well-being of its residents.

Supervision.

399. The supervision of the work of *panchayats* lies in the hands of the district officer who can rely for assistance on his sub-divisional officers. It is the district officer alone who can exercise real and effective control over all the activities of the *panchayats*. He has been empowered, with the approval of the commissioner, to suspend and if need be to dissolve *panchayats* whose work has proved unsatisfactory. On an average nearly three hundred *panchayats* have been dissolved annually but there are no statistics to show the various causes that have been at work.

400. The first *panchayats* were established in July, 1921. **Number of panchayats.** By the end of March, 1922, the number had risen to 3,314. By the end of March, 1924, it was 5,566. Since then the number has decreased and on March 31, 1927, stood at 4,594 with jurisdiction over a population of nearly eight and a half million. The distribution of *panchayats* throughout the province is very uneven. The lowest number in any district is three, and the highest three hundred and ninety-four. In 1923 Government explained this uneven distribution in the following words and the explanation still holds good:—"The great variation . . . is the natural result of Government's policy. It was recognized that in conducting this novel experiment district officers would be feeling their way through unexplored obstacles, and that the regulation of the rate of advance must be left to their discretion . . . Some were more cautious than others or the circumstances of their districts were less favourable. The number of *panchayats* established in a district is no measure of the interest taken by the district officer."

401. The selection of villages in which *panchayats* can **Difficulties.** be established with a hope of success demands caution. The field of choice is restricted. In the first place villages which are riven by faction must be avoided. Elsewhere men of the necessary intelligence, integrity and force of character are often absent, or if present, belong to a single caste or family, with the result that a well-balanced *panchayat* cannot be formed. Many villages are entirely apathetic. Again, experience has shown that *panchayats* rarely flourish when overshadowed by the influence of a powerful landholder to whom the tenants have been in the habit of taking their disputes. Lastly, considerable difficulty has been experienced in the selection of suitable *sarpanches* on whose personality the success of the *panchayat* almost entirely depends. In remote tracts it has not been easy to discover men of the right type for these posts who had also sufficient education and intelligence to understand the simple rules and maintain the simple registers. The increasing influence of village factions and caste and communal friction has affected the working of *panchayats* in some places.

402. That *panchayats* dispose of a large number of **Judicial work.** cases is proved by the following figures:—

	<i>Criminal.</i>	<i>Civil.</i>	<i>Total.</i>
1924-25	... 36,370	84,815	121,185
1925-26	... 35,977	86,783	122,760

Civil cases have thus been more than double the criminal cases. The hope that the *panchayats* would relieve the regular courts of some of their work has in most districts, though there are exceptions, been unfulfilled. They have in fact for the most part provided a regular means of settling petty civil disputes and criminal complaints which were previously settled in another manner without being taken to the regular courts. The quality of their judicial work has not been seriously called in question. There is not much evidence of corruption and the percentage of applications for revision to the total number of cases disposed of is very low. All districts have been unanimous in reporting that serious complaints were not numerous and of those made not many were substantiated.

Adminis-
trative
work.

403. The improvement of education, public health, and the supply of drinking water, and the maintenance of village tracks and works of public utility are mentioned in section 65 of the Act as duties of the *panchayats*, but Government have as yet framed no rules under section 75 of the Act regulating the performance of those duties. The administrative sphere of the *panchayats* is in fact a restricted one and the tendency has been to regard *panchayats* as judicial much more than as administrative bodies. In spite of this a certain amount of useful administrative work has been done. In two districts the improvement of agriculture and sanitation has begun to occupy the attention of *panchayats*. In another district they have given useful assistance in connexion with vaccination work. Many *panchayats* now employ sweepers, with encouraging results. Their duties in regard to inquests have been satisfactorily discharged and there is no report of any misuse of these powers. The most promising feature of their administrative work has, however, been the satisfactory execution of petty local works. During the past six years a sum of nearly two lakhs has been allotted by the board of public health for sanitary improvements carried out by *panchayats*. Accounts have on the whole been fairly well maintained, though the submission of returns is usually dilatory.

Attitude of
the legis-
lative
council.

404. The council has shown little interest in *panchayats*. In 1923 a member proposed that they should be placed on an elective basis. Government rejected this proposal partly because they considered election not quite appropriate to semi-judicial bodies and partly because they considered the proposal premature. Another member gave notice of a resolution recommending the appointment of a committee of inquiry with

the object of converting *panchayats* into real live units of local self-government, but the resolution was never moved.

405. The latest reports received on the working of *panchayats* for the year 1926-27 strike a variety of notes. Many districts reported the movement to be gaining in official and in popular esteem. A few said quite definitely that they were unpopular. In one district eleven villages applied for their inclusion into the circles of adjacent *panchayats*. In an eastern district the *panchayats* were said to be showing a tendency to develop into governing bodies aiming at turning their villages into model villages by arranging for periodical cleansings, improved sanitation and even for seed dépôts and similar agricultural improvements. The commissioner of a western division said that he was less pessimistic than before and considered that the system had taken root. He too remarked on the growing practical interest of *panchayats* in sanitation and agriculture. The reports in general are favourable and there is a widespread acceptance of the view that the movement has come to stay and that the work of the *panchayats*, when suitable *panches* can be found, is satisfactory. Some reference should, however, be made to the less favourable reports. In the Kumaun division *panchayats* are said to be making neither headway nor retrogression and that is also the gist of the report from a western division. The district officer of an Oudh district doubted whether there was any genuine demand for *panchayats* but added that the system could not be called unpopular and in two sub-divisions of his district was quite popular. Two districts in the same division reported that the *panchayats* showed little interest in their work or were generally disappointing but that some did useful work and that the system was appreciated where patient and intelligent workers were available. A southern district said that the movement could not be called a success. The main conclusion to be drawn is that much depends on the interest and encouragement of the district officer and that even that is only effective when suitable *panches* are forthcoming. The *panchayats* have not made a strong appeal to the landed classes generally, perhaps because they are too small to attract interest and yet have sufficient real powers to excite suspicion. The fact remains that given favourable conditions *panchayats* have in many places justified themselves and done really useful work. If the movement has not expanded, as Government had hoped, there is ground for believing that it has caught root in certain places and that in time it may gain a wider popularity and develop greater powers for good.

General
conclusion.

CHAPTER XII.

PUBLIC WORKS DEPARTMENT (BUILDINGS AND ROAD
BRANCH).

**Introductory—
influence
of the
Reforms.**

406. In treating of public works, which are administered by the buildings and roads branch of the public works department (hereafter called the department) as a transferred subject, it is not easy to draw a clear-cut line between those influences which can be attributed to the Reforms and those which are independent of them. In the post-reform period the system of public works and the form of the department have undergone great changes. The instrument employed by the Government for suggesting the changes which should be made, was the Public Works Department Reorganization Committee which they appointed in 1922. This committee followed naturally the resolution of the Government of India of March, 1921, on the report of the Sly Committee which they had constituted before the Reforms, in 1917. Further, apart altogether from the Reforms, there was a strong demand in some quarters for an alteration in the system of public works administration; and there can be little doubt that changes would have been made even had there been no reformed constitution. But, though the 1922 committee was pre-reform in its origin, the shape which its report took was beyond question deeply influenced by the Reforms and by the desire for self-government which they fostered. The committee did not endorse the accusation that the organization of the department was needlessly expensive or that it was responsible for undue delays in the execution of works. Their recommendations were admittedly based not mainly on considerations of economy or increased efficiency, but on their educative and stimulating effect on local bodies and on the growth of an independent architectural and engineering profession. These are not the foundations on which Government in pre-reform days would have built in changing the fabric of the system and agency whereby so important a public need as communications had been adequately supplied for half a century. It is, therefore, improbable that, but for the Reforms, Government would have allowed the degree of idealism and optimism which the committee evinced to have reached

the stage of practical experiment, or that they would have gone to the length they did in putting the recommendations of the committee into effect. While, therefore, the conception of the committee is pre-reform, its report and the changes which Government have introduced are unquestionably products of the Reforms. Further, nearly every constitutional or political question of importance that has arisen in the department since 1921 is in one way or another intimately connected with the report of the committee. The report and the changes which have resulted from it must, therefore, find a prominent place in any attempt to estimate the effect of the Reforms on the working of the department.

407. The Sly Committee of 1917, following the tendencies of the Decentralization Committee of 1907 and the Public Services Commission of 1912, considered that the immediate aim of Government should be the restriction of the public works department to work which could not be satisfactorily done by private firms or local boards, and that the eventual goal should be the retention of the department merely as a supervising and advising agency. But they thought that, as a necessary safeguard, if roads were handed over to local boards, they should be maintained by a sub-committee of the board, of which the district officer should be the chairman and with which the board should not have the power to interfere. In their resolution of March, 1921, the Government of India commended these principles to local Governments. In introducing the departmental budget in March, 1922, the minister announced the decision of Government to set up a local committee to suggest the manner in which these principles could best be put into effect. The committee sat in the hot weather of 1922 and submitted its report towards the end of that year. During 1923 and 1924 Government continued to introduce the changes consequent on the proposals of the committee which they were able to accept, and by April, 1925, effect had been given to nearly all the recommendations in so far as Government were prepared to adopt them.

408. The main proposals of the committee were:— The
committees
proposals.

- (1) that all local roads and buildings which the department had formerly maintained for district boards with funds provided by them should be handed over to the boards, the contributions which the boards had formerly paid being released for the purpose;
- (2) that about one-third of the mileage of the provincial roads which had formerly been maintained

- by the department with funds provided by Government should be entrusted to local boards for maintenance, grants being made from the provincial exchequer;
- (3) that all petty and minor works, that is to say works costing up to Rs. 20,000, should no longer be constructed and maintained by the department for other departments of Government but that each department should in future carry out its works for itself;
 - (4) that for major works designs should, as far as possible, be obtained from private firms, subject to scrutiny by the officers of the public works department, both as to stability and as to economy in design;
 - (5) that, in consequence of the great reduction in work which the committee anticipated that these proposals would affect, the existing staff of the department should be reduced as follows :—
 - (a) that all sub-divisional offices, which had up to then formed the independent charges of district engineers, should be abolished, and the post of district engineer with them;
 - (b) that the divisions, forming the charges of executive engineers, should be reduced from fifteen to seven, each with two or more assistant engineers or assistant executive engineers to assist the executive engineer in charge;
 - (c) that the four circles and with them the posts of superintending engineer should be abolished, and that in place of them one deputy chief engineer should be appointed to assist the chief engineer in his inspection of the public works of the whole province and in his general administration of the department.

The committee extended these proposals to the whole of the province, except the hill districts comprising the Kumaun division and the district of Dehra Dun. There they proposed that the existing arrangements should continue.

Basis of the proposals.

409. The committee thus made five fundamental assumptions :—

- (i) that the interest of the local bodies in public works and their aptitude in constructing and maintaining them would receive an immediate stimulus;

- (ii) that private enterprise would respond at once to the greater opportunities offered to it, that it would undoubtedly be forthcoming in the larger towns and that the firms established in them would rapidly establish agencies or branches for construction work in smaller towns;
- (iii) that the work which the department would be called upon to do would automatically be reduced to a substantial extent at once;
- (iv) that water-bound kankar roads would continue to suffice for the road-borne traffic of the province;
- (v) that officers with no technical training would soon gain enough experience to be able to construct works costing up to Rs. 20,000 economically and up to a proper standard of material and workmanship.

Of these five assumptions none has yet been justified by the event except perhaps part of the first that interest of local bodies in public works would be stimulated, and the second to a very limited extent in the larger towns.

410. Government gave effect to these proposals, except **Government action on the proposals.** on the following points:—

- (1) They did not hand over any provincial roads to local bodies though they entrusted all local roads to them.
- (2) They did not consider that it was possible for the department to do its work with only seven divisions. They, therefore, reduced the number of permanent divisions from fifteen to ten.
- (3) They did not consider one deputy chief engineer sufficient to supply the necessary supervising agency. They thought that at least two deputy chief engineers were necessary and, though they stated in their resolution that they intended to ask the Government of India to move the Secretary of State to abolish two of the posts of superintending or deputy chief engineer and actually addressed the Government of India to that end, they subsequently entertained doubts whether the reduction of these two posts was consistent with the proper maintenance of public works, and they asked the Government of India to suspend action on their proposals till they

addressed them again. The question is still held in suspense.

The legisla-
ture and
public
works.

411. Such, then, is the system of public works' maintenance and the form of the departmental agency as established under the Reforms. It has already been shown that the Reforms were mainly responsible for the form which the machinery assumed. It should next be considered how the machinery has succeeded in working under the constitution, which the Reforms have created. The first point is the attitude of the legislative council, first, towards public works and, secondly, towards the department which administers them. The attitude of the council towards public works is best illustrated by its readiness or reluctance to vote the grants for which Government ask in presenting the budget of the department.

(a) *Demands for grants for communications.*—The department is often regarded as a mere agency for doing work for other departments. This view is erroneous. Its main function is to maintain the road communications of the province, and it is to that end that about three-fourths of the money which figures in the demands for grants of the department is required. The outstanding fact, which emerges from an examination of the proceedings of the reformed council since its inception, is that during the whole period since 1921 the council has made not a single substantive cut in the grants which Government have asked it to vote for the maintenance of communications. The only token cut which the council has made was in the budget debate of 1923, and the purpose of that was to secure from the military authorities a more substantial contribution towards the repairs of the road of which the main purpose is to serve the cantonment of Ranikhet. It is true that the years since the introduction of the Reforms have been lean years for the provincial exchequer, and the department at any rate in the earlier years suffered more than some other departments from starvation. In 1922 the Finance Member himself moved for a reduction of Rs. 15.75 lakhs in the budget of the department as presented. Next year the amount included in the estimates was even less than the reduced figure of 1922, and the minister described the budget as a "skin and bone budget." In the later years the estimates have been fuller, since Government took a loan for a reconstruction scheme calculated to cost Rs. 1.4 crores which began to take effect from 1925. But this money has been devoted to the reconstruction of the roads adjoining the larger cities of the province, and grants for ordinary

maintenance and repairs have continued to be below the amount requisite to keep all the roads in good condition. The minister, in introducing the budget each year, was not slow to emphasize that the grant asked for was not really adequate to repair the wastage of the war years, and of the earlier post-reform years when financial stringency allowed only a very inadequate provision for the maintenance of communications. It must also be remembered that by putting the recommendations of the 1922 committee into effect with but few exceptions, Government have accepted the wishes of the council in their broader aspects on the subject of buildings and roads, and have therefore cut the ground away from under the feet of critics. But in spite of these considerations, it is to the credit of the council that it has realized the great importance of voting the funds demanded to maintain communications to a proper standard, has discountenanced the view that expenditure on roads is unproductive and has negatived the motions which have been made by individual members from time to time to reduce the grants for which Government asked for communications. Indeed, the tendency of the council has been the other way. The object of the majority of the token cuts, which have been moved in connexion with roads, bridges and ferries, has been to encourage Government to make a more liberal allowance in the budget so that the communications of the province might be improved.

(b) *The scheme for provincialization of roads.*—The other question which supplies a test of the capacity of the council to appreciate the importance of communications is the provincialization of roads. On the report of the 1922 committee Government handed over to the charge of the district boards all the roads which were then maintained by the department from district board funds. No proper classification was made at the time into roads of provincial and of local importance. Some of the roads then transferred are of more than merely local interest, and form important links in the chain of provincial communications. Their condition has rapidly deteriorated under district board management and Government have formulated a scheme to provincialize them, that is to say to entrust them again to the department and to relieve the district boards of the expense of their maintenance. In order to ascertain the views of the boards on the scheme Government addressed a circular letter to them in April, 1927, explaining the scheme and inviting opinion. In June of the same year, before the replies of all the boards could be received, the leader of the *swaraj* party moved a resolution, "That this

council recommends to the Government that no roads should be taken over from the district boards by the Government and that sufficient funds should be supplied to them for the maintenance, improvement and extension of these roads." The members on the *swaraj* and nationalist benches vehemently condemned the scheme for provincialization of these roads as an interference with the boards and an insidious attack by Government on the meagre measure of local self-government which they had conceded. The council, however, refused to accept this view, which was obviously at variance with the fact that Government had only asked the boards to express their wishes, and so far at any rate taken no other action; indeed the resolution, if carried before the boards had had an opportunity of stating their views, would clearly have been an attempt by the council to coerce the boards. The council therefore declined to pass the motion till it had been amended to read that "no roads should be taken over from the district boards without first laying before the council the proposals of the Government and the views of the district boards in this behalf and inviting the opinion of the council thereon." Government gave the council the opportunity which it desired by including in the budget for 1928-29 half a lakh of rupees to make a start with the scheme. But the members discussed the demand for administration of justice at such length that the demands for grants for the public works department never came up for debate and were automatically voted through the operation of the guillotine. It is uncertain, therefore, what final decision the council will make on this important question of communications, but at least they declined to be hustled into a premature condemnation of the scheme.

The Legislature and the department.

412. The next point is the attitude of the council towards the department which administers public works and the engineering services.

(a) *Superintending or deputy chief engineers.*—In 1921 a resolution was moved recommending the abolition of the posts of superintending engineer. The proposal to appoint the re-organization committee was then in the air, and in order to sound opinion the minister took no part in the debate. The chief engineer was allowed to represent the departmental case from the administrative point of view, but official members abstained from voting. On the division all the non-official members voted for the abolition of the posts, with the exception of one member nominated to represent the Anglo-Indian community. In 1923 another resolution was moved by a prominent liberal, urging on Government, in view of the

seriousness of the financial situation, an early acceptance of the recommendation of the reorganization committee for the reduction in the number of superior posts in the public works department. The motion was withdrawn on the minister assuring the council that Government had not yet had time since receiving the report of the committee to reach a final decision. In the budget debate of 1924 there was a motion for a reduction of Rs. 10,000 under establishment, when the need for the reduction of the posts of superintending engineer was again raised. The chief engineer accepted the cut on behalf of Government without committing them to the principle of accepting the reduction of these posts. Since then the question has not been revived in the council. The attitude of the council towards these posts as indicated by these motions has been not unreasonable. Up till 1924 the material upon which the council naturally based its views was the report of the 1922 committee. If the committee's assumptions mentioned above had passed the test of experience it could not be held that the view, which the council took, was the wrong view. The Government in their resolution of July 1, 1924, on the report of the committee expressed their intention of reducing two of the posts of deputy chief engineers. Subsequent developments have made it doubtful whether they can yet put this intention into effect. They must, however, eventually decide on the merits whether they consider that conditions have changed so much in the last four years that the department cannot be administered efficiently and the communications of the province cannot be developed and maintained economically and adequately without these supervising officers. If they conclude that the present number of deputy chief engineers is indispensable they must put the case to the council.

(b) *Other staff.*—The acceptance by Government of the proposal of the 1922 committee to abolish all sub-divisions except in the hills and to reduce the number of divisions has left the council little to discuss in relation to the staff of the department below the administrative grades. The few motions which have been made, have been mainly directed towards securing a more efficient subordinate executive staff and a more contented clerical establishment. In the budget debate of 1921 a token cut was moved with a view to getting temporary engineers made permanent, but it was withdrawn when the position was explained. In the budget debate of 1924 the council adopted a motion, of which the object was to check the promotion to the provincial engineering service of subordinate who did not possess the qualifications which

men would be required to have to entitle them to sit for the qualifying examination which was about to be established. Other motions have drawn attention to the grievances of clerks in superintending engineers' offices.

(c) *Amenities*.—The council therefore had reason on its side in its attitude towards the few matters which have come up affecting the lower staff. But when Government have proposed to grant to officers amenities which in their opinion were justified, the council has tended on occasions to turn its eye to the urgent need for economy. Provision was made in the 1921 budget for a residence and office for the sub-divisional officer; Lucknow. There was strong opposition, and Government accepted the motion to omit the item on the understanding that they might bring it forward again, if necessary. In 1924 the council declined to provide residences for the district engineers of either Lucknow or Cawnpore, furniture for the residence of the district engineer of Garhwal, electric lights and fans in the residence of the executive engineer of Allahabad, and conveyance allowance for the executive engineers of Cawnpore and Lucknow. It is notorious that in such places as Lucknow and Cawnpore private houses cannot be rented except with great difficulty and at an exorbitant figure. The Government spokesman explained that it was for this reason that Government proposed to provide residences for which, of course, the tenants would pay rent to Government. He also explained that, owing to the location of Garhwal, the district engineer had on transfer invariably to sell the whole of his private furniture at great personal loss, and that if Government supplied furniture to him he would pay rent for it. He also explained that the district engineers of Cawnpore and Lucknow were out of pocket to the extent of about Rs. 150 a month, owing to the great distances they had to travel on government business within the five-miles radius of their head-quarters, without being entitled to any travelling allowance under the ordinary rules, and that it was unreasonable to expect these officers to incur so much private expenditure on government work. In declining to grant to the executive engineers of Cawnpore and Lucknow the conveyance allowance proposed and in refusing funds for an electrical installation and connexion with the municipal mains for the residence of the executive engineer of Allahabad, which is one of the hottest stations in the province, the council showed an unsympathetic attitude towards the officers of the department. In declining to vote funds for the construction of residences for district engineers and sub-divisional officers, the council had reason on their side, because it was

then doubtful in view of the proposals of the 1922 committee whether these posts would be retained. It is, however, noteworthy that Government have found it very difficult, since the Reforms, to secure any amenities however justifiable for the officers of the department. Finally, when Mr. Chintamani, the ex-minister, in the June session of 1927 expressed his views on the department with a vehemence out of all keeping with the defects of the department and his sentiments were echoed by some of the *swarajist* members, no voice was raised in protest by any non-official member. But the house as a whole may be held to have declined to accept Mr. Chintamani's estimate of the department by rejecting the motion for which he spoke.

413. In discussing the attitude of the council towards the department, account has been taken only of those works which the department undertakes for itself. There are, however, included in its budget as at present framed, those works which the department carries out for other departments. In considering the attitude of the council these items should be disregarded, because the view which the council takes of the need for these works is based on its attitude towards the department for which the work is required, and not on its attitude towards the public works department. But the arrangement, whereby the works of other departments are included in the public works budget, deserves special mention, since it raises a constitutional point of some importance, apart altogether from the fact that it obscures the true expenditure on public works proper and gives a false impression of the cost of the department to the province. If all the items of other departments which are included in the public works budget belonged to transferred departments, the objection to the arrangement would be merely one of inconvenience. But works of reserved departments are also included: the result is that, if the council refuses to vote the funds asked for in the public works budget for a reserved department, the Governor is unable to employ his power of certification—no matter how urgent the need may be for the works.

414. (a) *Provincial roads*.—The condition of public works under the present system varies with the agency employed to maintain them. Provincial roads, for which the department has remained responsible, deteriorated in the earlier years of the post-reform period when the provincial finances were in such low water that adequate grants were not forthcoming. The growth of heavy motor traffic made it clear about the middle of the period that the old type of water-bound kankar

Form of the department's budget.

Effect of the Reforms on public works.

road could no longer suffice in the neighbourhood of the larger cities where traffic concentrated. There was no alternative to reconstructing such miles by modern methods of road making, and to render this possible Government decided to raise a loan of one crore and forty lakhs of rupees. Since then the provincial roads have steadily improved and though more funds are required annually for maintenance and construction, as apart from reconstruction, if the provincial roads are to reach and retain the desirable standard throughout the province, their general condition is now no worse than in the years immediately preceding the Reforms.

(b) *Local roads*.—Local roads are a matter for discussion by the department of local self-government rather than of public works. But it is common knowledge that since local roads were transferred to local boards on the recommendation of the 1922 committee their condition has greatly deteriorated, and is now generally poor and in some districts atrocious. Apologists for local self-government maintain that this is solely due to lack of funds and the refusal of Government to give adequate grants to the boards, and they point to the Government loan for the reconstruction of provincial roads. On the other side it can be urged that it is mainly on provincial roads that the burden of changed traffic conditions falls, and that the boards have themselves powers of increased taxation; and, further, that new types of traffic and the rise in the cost of material and wages have made the task of the boards more difficult. The boards have certainly had their financial troubles, but equally potent causes of their failure are their refusal in many cases to employ qualified engineers, the entire absence of technical supervision over the engineer who serves each board, and the lack of business ability in the boards themselves.

(c) *Buildings*.—About buildings it is not possible yet to give a definite opinion. The new system introduced on the recommendation of the 1922 committee has not been in force long enough to supply a test of the durability of the buildings erected under it. For major works, the committee recommended that, where possible, the work should be entrusted to firms of private architects. The only building which has been erected under this system is the new Council House at Lucknow. The director of audit has held that the experience gained on that work affords strong reason to think that the system leads to a waste of public money and that the experiment is not worth repeating. The Public Accounts committee of the legislative council have endorsed this view. Experience of the

system whereby the administrative departments are responsible for minor works costing up to Rs. 20,000, suggests that it also is defective. Heads of departments deplore the difficulties which officers with no technical knowledge encounter in the execution of a work large enough to cost Rs. 20,000, and they criticize the system as wasteful, both in the expenditure of money at the time of construction and also in the probable length of life of the buildings erected by a layman without engineering knowledge or experience. The police department have had to abandon the system by borrowing the services of an officer of the public works department to supervise the construction of the minor works included in their building programme, and the inspector-general of police reports that this officer has more than saved the amount of his pay by using his expert knowledge to cut down the estimates made by private firms. In the ecclesiastical department chaplains have found themselves quite unable to work the new system, and they have had to seek the help of the public works department of Delhi and of this province to do their construction work for them as contribution work. The inspector-general of prisons has also asked for technical engineering staff to assist him with his buildings. Nor is the private enterprise, which it was the object of the new system to encourage, yet making more than a feeble response, and that only in the larger towns.

415. The department is served by three services, one all-India and two provincial. The Indian Service of Engineers ^{The} is, so far as the buildings and roads branch is concerned, now _{services.} in process of dissolution. All recruitment to it has been stopped for some years and in consequence its strength had fallen from 56 in 1921 to 29 in 1927. The percentage of Indians in the service has, by reason of the fact that most of the officers who have retired have been Europeans, increased to a small extent, namely, from 25 per cent. in 1921 to 31 per cent. in 1927. There was much anxiety and unrest among European officers of the service in the early years of the Reforms period. This was partly due to influences affecting the European officers of all the all-India services but more especially to the attitude of Government towards the department. Government propose to replace the Indian Service of Engineers by a superior provincial service and a scheme is being prepared with that object in view. The existing provincial service is the United Provinces Engineering Service, the cadre of which increased from 37 in 1921 to 40 in 1927. Below the provincial service there is the subordinate service which is at present undergoing a process of reorganization.

**The
ministers
and the
department**

416. Three ministers have held charge of the department, Mr. Chintamani, Nawab Muhammad Ahmad Sa'id Khan and Nawab Muhammad Yusuf. There have also been three chief engineers since 1921. In no other department has there been so little mutual understanding between the ministerial and the departmental heads. There have been many occasions for differences of opinion and the extent to which these have affected the smoothness of relations has depended very largely on the individual personalities of the ministers and the chief engineers.

CHAPTER XIII.

PUBLIC HEALTH ENGINEERING DEPARTMENT.

417. THE public health engineering department was formerly an integral part of the buildings and roads branch of the public works department and its staff was borne on the same list as the public works engineers. The special character of the work which the branch had to do led gradually to its practical separation from the buildings and roads branch. The public health engineers were recruited on special terms and the principal link between the two departments was that the superintending engineer of the public health branch was subordinate to the chief engineer of the public works department, and all references from the branch were handled in the public works department. The reorganization committee of 1922 recommended the definite separation of the two branches and in 1927 the administrative control of the department was transferred from the public works secretariat to the municipal department of the civil secretariat. The superintending engineer has the powers of the head of a department and deals directly with the Government.

418. The department is the technical agent of the Government in all matters concerning water-works, drainage and electric supply schemes. In the case, however, of electric supply schemes the department still works in collaboration with the buildings and roads branch of the public works department. Whenever the Government directly undertakes work of this nature, it is the public health engineering department which prepares the projects and carries out the work. Cases of this kind are comparatively rare and the main function of the department is the preparation of water-works, drainage and electrical projects for the municipalities. By rules laid down under the Municipalities Act the municipal boards cannot undertake any public health work of any importance without obtaining the approval of the department. If, as is usually the case, the work is financed by a government grant or loan, not only the project but also the agency for the construction of the work must receive this technical approval. The majority of the boards find it more convenient to entrust

the execution of the work of the department as well as the preparation of the project.

An inspecting agency.

419. Apart from its professional duties as an engineering department which prepares projects and carries out works, the department has also a function of increasing importance as being the only modern inspecting agency which is attached to the municipal and health departments of Government. It is in constant touch with the municipal boards, it is responsible for seeing that government grants for health works are properly expended, it has the specially important duty of inspecting the municipal water-works and of advising both the municipality and the Government on questions connected with water-works administration. The department is an important factor in the development of modern administrative control over the local bodies on the lines of the British Ministry of Health.

Staff.

420 The staff is small. In 1919 six specialist officers, one of whom was an Indian, were recruited in England to assist the superintending engineer, and a first class mechanical engineer was appointed who now bears the title of water-works engineer and mechanical adviser. The specialist officers were obtained on five years' contracts but most of them have now been given permanent appointments in the department. The reorganization committee of 1922 was of the opinion that the strength of the department could be reduced, and this view has been pressed on the Government by the audit department on the theory that the department is, or should be, self-supporting. The municipalities and other local bodies are charged fees at a prescribed rate for any project or construction work which they entrust to the public health engineering department. The amount of these fees is considerable, but it does not cover the whole cost of the staff. There has been constant pressure that it should do so, and this view has found expression not only in the audit department but also in the legislative council. This view does not, however, take into sufficient account the important administrative duties of the department as the adviser of Government in the complicated technical aspects of water-works, drainage and electric supply schemes which have to be examined before the Government can give financial aid to their execution; nor does it sufficiently allow for the duties of the department as the professional inspecting agency of Government on the engineering side. The effect of the theory that the department should be self-supporting has been sufficient to check any increase in the staff of the department in recent years. But the needs not only of the local bodies for the preparation and construction

of works but of the Government for inspection are increasing, and with them the strength of the department also must increase.

421. The public health engineering department is not directly connected with the financing of the schemes which it professionally controls, or with the difficult question of the extent to which the cost of these works should be met from provincial or from local revenues. It is not therefore relevant to an account of the working of the department to give the figures of expenditure on works, although the cost of these works, so far as they are financed by government grants, is shown in the public health section of the budget. The amounts available for works of this nature have fluctuated greatly from year to year according to the general financial position and also to the stage to which the schemes of the various municipalities happen to have advanced. The department is not responsible for taking the initiative in proposing these schemes though it not infrequently makes suggestions either to the municipal boards or to the Government. The success of the department cannot be measured by the total expenditure on water-works, drainage, or electric supply any more than the strength of its staff can be determined by the amount of fees which it receives. It must be regarded as an executive agency without which it would be most difficult for local bodies to prepare and construct works of this kind, and without which the Government in the municipal department would have no technical advice in considering them and no means of ascertaining that the government grants were properly expended.

422. The relations of the department with the minister in charge have never been entirely free from friction. The principal officers of the department have been Europeans, inevitably so at the present stage in view of the nature of the technical qualifications and experience which are required of them. There has been a sharp difference of opinion between successive ministers and the head of the department over the merits of two of the Indian officers. One of these officers has now left government service and is permanently employed in municipal service in Allahabad. The services of the other have been lent to the municipal board of Allahabad. The criticisms made by the superintending engineer on the technical work done by these engineers for the municipal board brought the department into conflict with the board. The nature of the work of the department as the sole agency of Government which inspects and criticizes the engineering work of the local bodies, inevitably places the department in

Initiation
and financ-
ing of
projects.

The
ministers
and the
department.

a difficult position and cannot make it popular. The minister who is responsible to or sensitive to popular feeling must necessarily regard from a different point of view the issues which from time to time arise between municipal boards and the department. He must be influenced by the other side and he cannot invariably accept the view of the department against the view of the municipalities.

**Relations
with local
bodies.**

423. The relations between the department and the local bodies, which in the great majority of cases are the municipalities, have not, however, been unsatisfactory when the many chances of friction are taken into consideration. The officers of the department have many causes of complaint at the boards' dilatory methods of business, their incapacity in handling their professional staff and their timidity in facing financial issues. But it may be said that the public health engineers have realized their difficulties and their inexperience, and have impressed on them their desire to give helpful advice rather than to interfere. Although there are many unsatisfactory features in the water-works administration of several towns, yet, if all the towns be taken together, the improvement has been most marked and is a tribute to the constant pressure of the mechanical adviser and of the head of the department. In 1921 all but one of the twelve towns in which there were water-works showed a loss on their working. The reluctance of the municipal boards to take serious measures to prevent the waste of water or to make an adequate charge on the public which consumes it is gradually being overcome. In 1925-26 there was actually a small profit on the municipal water-works as a whole; in 1926 this profit exceeded three lakhs. This result could not have been achieved without official inspection.

**Attitude of
the council.**

424. The public health engineering department has not figured much in the legislative council, for the demands for grants-in-aid which are constantly put forward by the members are not directly the concern of the department. There has been no legislation and no resolution dealing specifically with the department. There have been no questions of any importance and no serious cut has yet been made in the departmental budget.

Conclusion.

425. The public health engineering department should be regarded primarily as a small executive department which is concerned first and foremost with the construction of public health works. As long as comparatively few contracting firms take up work of this kind in the United Provinces it remains the most effective and practical agency for their

execution. The extent of its activities is dictated by the exigencies of provincial and local finance. Under some pressure from Government municipal boards are devoting greater attention to water supply schemes and the district boards to smaller drainage works in the villages and small towns. There is at present no very great demand for large sewerage works in the big towns and though the department has prepared a number of important projects they remain in abeyance for the most part owing to the difficulty of financing them. The department is giving increased attention to the inspection of municipal works and its advice to the municipalities on water-works administration has given satisfactory results. The department has received little attention from the legislative council because it is much more concerned with executive work than with policy.

CHAPTER XIV.

REGISTRATION DEPARTMENT.

**The work of
the depart-
ment.**

426. The Registration department provides facilities for the attestation, compulsory and optional, of the execution of important documents of title, maintains a reliable record of such documents and affords opportunities for their inspection, Government charge fees for these services. There are registration offices at the head-quarters of every tahsil in the province and also at important trade centres.

**Organiza-
tion.**

427. The department is administered by the inspector-general of registration, who combines his registration duties with those of the director of land records. The post is borne on the cadre of the Indian Civil Service and is at present held by an officer of the United Provinces Civil Service (executive branch), who has been promoted to one of the Indian Civil Service posts "listed" for members of the provincial service. The province is divided up into registration districts, which in some cases comprise more than one revenue district. Each registration district is in charge of the district judge, who in his capacity of district registrar is responsible for the inspection of registration offices as well as for passing orders under the general control of the inspector-general on any technical questions which arise. There are in addition two whole-time inspectors of registration offices and there will shortly be four more such inspectors. The great majority of registration offices are each in charge of a sub-registrar aided by one or more clerks. In certain offices of small importance, about fourteen per cent. of the total number, the *tahsildar* combines the duties of sub-registrar with his revenue work.

**System of
recruitment.**

428. There is always a very large number of candidates for the post of sub-registrar as the appointment is made by nomination. Up till 1920 no educational qualification was prescribed and even now the qualification is no higher than the school leaving certificate. As many as eight hundred applications have been received for six vacancies, and the candidates now include a number of university graduates. Immediately after the war appointments were given to men who had left the Army with a good record of military service. In the following year Government changed the system of recruitment, delegating the power of appointment to the inspector-general after selection by a committee consisting of the inspector-general himself, the district judge of Lucknow,

and the senior small cause court judge of Lucknow. In 1924 Government resumed the power of making these appointments but retained the advisory selection committee, to which in 1927 they added two non-official members of the legislative council. Since 1924, of the forty-two appointments made, seventeen have been made on the recommendation of the committee and twenty-five by the minister himself without reference to the committee's recommendations.

429. Registration fees were raised in 1920 and again in 1922. In the latter year a retrenchment committee recommended the closing of small offices where the fees did not cover the cost of the staff. As a result eighteen registration offices were closed, and seventeen posts abolished. As the figures below show, the department yields a steady surplus which in the Reforms period has varied from 7.79 lakhs in 1923-24 to 8.95 lakhs in 1925-26 :—

	1920-21.	1921-22.	1922-23.	1923-24.	1924-25.	1925-26.	1926-27.
Income ..	12.59	12.73	12.60	12.33	12.49	13.70	13.31
Expenditure ..	4.41	4.70	4.63	4.54	4.56	4.75	4.63
Surplus ..	8.18	8.03	7.97	7.79	7.93	8.95	8.68

The existence of this surplus has led to continual demands from the sub-registrars and the registration clerks for an increase of pay. These demands have received some support in the legislative council. Government have hitherto resisted the demands as there is no difficulty whatever in obtaining suitable candidates on the present rates of pay.

430. It has always been difficult to control a large staff, who are not highly qualified nor very rigidly selected, scattered throughout the province in isolated offices and working in conditions which afford many opportunities for corrupt practices. There can be no doubt that the public reputation of the department is not as high as it might be. Sub-registrars were originally paid by commission on the fees and this tradition still seems to survive as there have in recent years been some cases of dismissal from the department for the levy of unauthorized fees for services rendered, apart from graver forms of corruption. In the smaller offices where the *tahsildar* acts as sub-registrar it is probable that too much power is left to the low paid registration clerks. Not only is there risk of loss and inconvenience to the public but it is believed that much government revenue is lost from insufficient stamping of documents owing to ignorant interpretation of the stamp law by the sub-registrars.

431. The system of inspection has been far from effective. The judicial duties of the district judges leave them very

Annual surplus.

Defects of the department.

System of inspection.

little time either to visit or to control the sub-registrars. There would be obvious advantages in having whole-time district registrars as the civil justice committee recommended, but Government have not so far been able to face this additional expenditure. The number of special inspectors has, however, now been raised from two to six and the larger inspectorate will receive special training in stamp law.

**Attitude of
the council.**

432. The department has seldom been the subject of criticism in the legislative council. No resolution concerning the department has been moved, but the pay and prospects of the staff and the system of recruitment have formed the subject matter of council questions. The inspector-general regards the attitude of the council as evidence of its satisfaction with the work of the department, but he recognizes that the general public do not regard the standard of honesty of the subordinate staff as very high.

Conclusion.

433. One result of the Reforms has been to create a tendency on the part of Government to restrict the inspector-general's freedom of action in regard to such details of administration, as for example, the transfer of sub-registrars from one district to another. This was perhaps inevitable in existing conditions. Another result, in the opinion of the inspector-general, is that the head of the department has become more accessible both to the legislature and to the members of the public, and that in consequence the subordinate staff are now inclined to show a greater sense of responsibility to the public.

PART IX.

THE INDIAN LEGISLATURE.

A.—LEGISLATIVE ASSEMBLY.

434. The Legislative Assembly consists of one hundred and four elected members and forty-one members nominated by the Governor-General. The representation of this province consists of sixteen elected members, of whom fifteen are elected by general communal electorates, eight by non-Muhammadans, six by Muhammadans and one by Europeans, and one is elected by a special electorate consisting of large landholders. Election is in all cases direct. The number of provincial members and the system of election were both matters on which opinion was somewhat sharply divided in 1919 and 1920, and in view of the experience gained since 1921 it is not without interest to trace the process by which the existing arrangements were ultimately arrived at.

435. The authors of the Report on Indian Constitutional Reforms suggested that while the three presidencies should each return eleven out of the sixty-eight elected members proposed by them, this province should return only ten. Sir Harcourt Butler, however, represented to the Franchise Committee that this province should have equal representation with the presidencies on the grounds of population, general position in the country and amount of contribution to the Government of India. The Franchise Committee recommended that the total number of elected members should be eighty, of whom this province should return twelve, that is, the same number as Madras and Bombay, but one less than Bengal. The suggested distribution of these twelve seats was six non-Muhammadan, three Muhammadan, two landholders (one non-Muhammadan and one Muhammadan), and one European commerce. The Government of India originally proposed to raise the representation of this province to thirteen and that of Bengal to fourteen, while retaining the committee's proposals in regard to Madras and Bombay. They also desired to increase the general non-Muhammadan seats from six to eight and at the same time to reduce the landholders' seats from two to one and to make the European seat representative of European interests in general. Other counsels

Provincial
representation.

Number of
representatives.

resulted in further changes. The number of elected seats was raised to one hundred, of which sixteen were allotted to this province, that is, again the same number as allotted to Madras and Bombay, but one less than that of Bengal. This Government suggested that the proposed distribution of these seats, namely, eight non-Muhammadan, six Muhammadan, one landholders and one European, should be altered by the transfer of one Muhammadan seat from the general to the special landholders' electorate. That proposal was not accepted. The provincial representation is therefore sixteen, distributed as just explained. It is clear that it was arrived at after much interchange of opinion as a result of the careful balancing of the claims of the various provinces and various interests. So long therefore as the number of elected members remains as at present and so long as the representation of other provinces is not increased, the Governor in Council does not desire to reopen this difficult question.

System of
election.

436. The decision to adopt a system of direct election was also the outcome of prolonged discussion. Mr. Montagu and Lord Chelmsford in their report clearly indicated their preference for a system of direct election, even if they emphasized the difficulty of adopting such a system. The Franchise Committee definitely rejected direct election and agreeing with the majority of local Governments, including the Government of this province, recommended a system of indirect election by the non-official members of the provincial legislative councils in the case of the general non-Muhammadan and Muhammadan electorates and of direct election in the case of Europeans and landholders. The Government of India accepted these proposals, but only with reluctance and as an immediate practical solution of a difficult problem. They made it clear in their despatch no. 4, dated April 23, 1919, that they considered a system of direct election as the only system "compatible with true responsibility to the voters." Other counsels again prevailed, and in the end a system of direct election was adopted with an electorate bearing generally the same proportion to the electorate for the provincial legislative council as the general seats in the provincial quota of representation in the Assembly bore to the number of general seats in the provincial legislature. The objections to a system of direct election which Sir Harcourt Butler pointed out to the Franchise Committee were that it would be necessary either to frame constituencies unmanageably large or to set up small class electorates which would result in the Assembly resting on an entirely different basis from that on which the provincial legislature would rest. The

size and manageability of the constituencies is considered in a later paragraph.

437. The basis of the franchise in this province is the same as in the case of the legislative council, but the qualifications are considerably higher. The instructions of the Government of India were that the franchise should be such as to provide an electorate which would bear the same proportion to the electorate for the provincial council as the number of general seats in the provincial quota in the Assembly bears to the number of general seats in the provincial council. Applied to this province these instructions meant that the franchise should be such as to provide an electorate of $14/89$ ths of 1,483,000 (the provincial electorate as estimated by the Franchise Committee), that is to say, an electorate of about 230,000. The qualifications selected as likely to produce an electorate of that size are given in full below. It will be noticed that whereas in the case of the provincial council the qualifying rent payment is double the revenue payment, in the case of the Assembly it is the same in each case, namely, Rs. 150. The reason for this is that the number of tenants decreases rapidly as the scale of rent rises, and if the amounts fixed had been Rs. 150 and Rs. 75, the number of landholders would have been out of proportion to the number of tenants. The amounts fixed were estimated to enfranchise about 100,000 tenants and 80,000 landholders out of a total electorate of about 225,000.

438. The qualifications for the franchise in the different classes of constituencies as given in the schedule to the Legislative Assembly rules are as follows:—

(1) *Non-Muhammadian and Muhammadian urban constituencies*.—A person shall be qualified as an elector for a non-Muhammadian or Muhammadian urban constituency who is not a European and who—

(1) has a place of residence in the constituency or within two miles of the boundary thereof, and—

(a) is, in any place in the area aforesaid in which a house or building tax is in force, the owner or tenant of a house or building of which the rental value is not less than Rs. 180 per annum, or

(b) was, in any area in the constituency in which no house or building tax is in force, assessed in the previous year to municipal tax on an income of not less than Rs. 1,000 per annum, or

- (c) is, in any area in the constituency in which neither a house or building tax nor a municipal tax based on income is in force, the owner or tenant of a house or building of which the rental value is not less than Rs. 180 per annum, or
- (d) has within the constituency any of the qualifications based on the holding of land hereinafter prescribed for an elector of a rural constituency; or
- (2) has a place of residence in the constituency and was in the previous year assessed to income-tax.

Provided that—

- (i) no person other than a Muhammadan shall be qualified as an elector for a Muhammadan constituency, and
- (ii) no Muhammadan shall be qualified as an elector for a non-Muhammadan constituency.

A person shall be qualified as an elector for a non-Muhammadan or Muhammadan rural constituency who is not a European and who has a place of residence in the constituency and—

- (a) is, in an urban area included in the constituency in which a house or building tax is in force, the owner or tenant of a house or building of which the rental value is not less than Rs. 180 per annum, or
- (b) was, in an urban area included in the constituency in which no house or building tax is in force, assessed in the previous year to municipal tax on an income of not less than Rs. 1,000 per annum, or
- (c) is, in an urban area included in the constituency where neither a house or building tax nor a municipal tax based on income is in force, the owner or tenant of a house or building of which the rental value is not less than Rs. 180 per annum, or
- (d) is the owner of land in the constituency in respect of which land revenue amounting to not less than Rs. 150 per annum is payable, or
- (e) is the owner of land in the constituency free of land revenue, if the land revenue nominally assessed on such land in order to determine the

amount of rates payable in respect of the same, either alone or together with any land revenue payable by him as owner in respect of other land in the constituency, amounts to not less than Rs. 150 per annum, or

(f) being a resident in the hill pattis of Kumaun—

(i) is liable to pay land revenue or rent amounting to not less than Rs. 25 per annum, or

(ii) is the owner of land in the hill pattis free of land revenue, if the land revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same, either alone or together with any land revenue payable by him as owner in respect of other land in the hill pattis, amounts to not less than Rs. 25 per annum, or

(iii) is the owner of a fee-simple estate, or

(g) being in the constituency a permanent tenure-holder or a fixed-rate tenant as defined in the Agra Tenancy Act, 1901, or an under-proprietor or occupancy tenant as defined in the Oudh Rent Act, 1886, is liable to pay rent as such of not less than Rs. 150 per annum, or

(h) (i) being in the constituency a tenant as defined in the Agra Tenancy Act, 1901, or the Oudh Rent Act, 1886, other than a sub-tenant, holds land as such in respect of which rent of not less than Rs. 150 per annum or its equivalent in kind is payable, or

(ii) in areas in the United Provinces in which the Agra Tenancy Act, 1901, or the Oudh Rent Act, 1886, is not in force, holds land as a tenant in respect of which rent of not less than Rs. 150 per annum or its equivalent in kind is payable, or

(i) was in the previous year assessed to income-tax :

Provided that—

(i) no persons other than a Muhammadan shall be qualified as an elector for a Muhammadan constituency, and

(ii) no Muhammadan shall be qualified as an elector for a non-Muhammadan constituency.

(2) *The European constituency.*—A person shall be qualified as an elector for the United Provinces (European) constituency who is a European and has a place of residence in the United Provinces of Agra and Oudh and has any of the qualifications prescribed in clauses (d), (e), (f), (g), (h) and (i) of para. 7 of this part for an elector of a non-Muhammadan or Muhammadan rural constituency.

(3) *The Landholders' constituency.*—A person shall be qualified as an elector for the United Provinces Landholders' constituency who has a place of residence in the constituency and—

(a) is the owner of land in the constituency in respect of which land revenue amounting to not less than Rs. 5,000 per annum is payable, or

(b) is the owner of land in the constituency free of land revenue, if the land revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same, either alone or together with any land revenue payable by him as owner in respect of other land in the constituency, amounts to not less than Rs. 5,000 per annum :

Provided that, in determining the eligibility of a landholder as an elector, only land revenue payable or nominally assessed in respect of such land or share in land as he may hold in his own personal right and not in a fiduciary capacity shall be taken into account.

The electorate.

439. The electorate has so far not reached the size originally estimated. The numbers on the electoral roll at the three elections were as follows :—

Year.	Males.	Females.	Total.
1920	167,965	Nil	167,965
1923	163,495	4,224	167,719
1926	188,407	6,051	194,458

The decrease at the 1923 election, for which there is no explanation on record, is remarkable in view of the fact that in the case of the provincial legislative council the male electorate increased more between 1920 and 1923 than between 1923 and 1926. The increase in 1926 is no doubt due in part at any rate to the increased efficiency of party organization. The percentage of the total population enfranchised in 1926 was in the rural constituencies 0·4 and in the urban constituencies 1·8. The percentage was the same in the case of both non-Muhammadans and Muhammadans in the rural

constituencies and only very slightly in favour of the non-Muhammadans in the urban constituencies.

440. The bulk of the electorate consists of substantial tenants and comparatively small landholders in the rural areas and the more successful professional and trading classes in the towns. Inasmuch as it includes tenants paying no more than a rent of Rs. 150 and persons paying municipal tax on an income of no more than Rs. 90 per month it cannot be said that it is in any sense restricted to persons of wealth or of really substantial position in the country. On the contrary the majority of the electors are persons of very moderate means.

Classes
enfranchised.

441. Since the franchise was adopted, claims to representation have been put forward on behalf of several interests not at present specially represented, and at least one claim to increased representation by an interest already represented:—

Claims to
representation.

(i) The Benares Hindu and Aligarh Muslim Universities have both claimed representation in the Indian legislature on the analogy of the representation given to provincial universities in the provincial legislatures. The grant of such representation would probably receive the approval of the educated classes in this province, but though both universities happen to be located within the province, the question of their special representation is an all-India rather than a provincial one, and the Governor in Council does not desire to offer any opinion in regard to it.

(ii) The Reforms Inquiry Committee recommended that special representation should be provided for factory labourers in the Assembly, by election if local Governments could arrange for election and by nomination if they could not. Factory labourers are at present neither a large nor a politically important community in the province. Their number was estimated in 1926 to be just over 85,000, of whom about 30,000 were working in Cawnpore. The Governor in Council as constituted in July, 1925 and March, 1926 considered the creation of special electorates for factory labourers as both impracticable and undesirable, but thought that it might be useful to nominate special representatives of labour to the Assembly when factory legislation was being considered. He held that factory labourers were not really a distinct class in the province, but merged in and were indistinguishable from the mass of the agricultural community, and that they should be admitted to the franchise only by the widening of the general electorate, a step for which the time had not yet

come. The Governor in Council sees no reason to differ from the view taken in 1926.

(iii) The All-India Anti-untouchability Conference in 1925 pointed out that nominated representatives in the legislative council had proved a failure and asked that the depressed classes should be given elected representation in the legislative council and also the Indian legislature. The Governor in Council is examining the question of the representation of the depressed classes in the legislative council, and when expressing his views on that matter will at the same time deal with their representation in the central legislature.

(iv) The landholders of this province have expressed their dissatisfaction with their representation in the Assembly. The principle of special representation has been recognized. The extent of their representation is a matter of more than provincial concern and involves a balancing of various claims. The Governor in Council is considering the representation of landholders in the provincial legislature, and if he decides to make any proposals in regard to that representation, he will at the same time express his views regarding their representation in the Assembly.

Use of the
franchise.

442. The proportion of votes polled in the contested elections to the number of voters has increased with each election as the statement below shows :—

Year.	Number of contests.	Number of voters.	Votes p. U. d.	Percentage.
1920	10	135,660	35,848	26
1923	11	107,252	47,613	44
1926	10	148,058	76,635	52

In the 1920 election the constituencies in which there was no contest were, with one exception, constituencies with small electorates, whereas in 1923, though there was one contest less, three of the uncontested constituencies were large ones. This explains the large decrease in the number of voters at the 1923 election. The variations in the percentage of votes in the different classes of constituencies are such as to suggest that the number depends more on the circumstances of the particular contest rather than on the class of the constituency. Thus in the Muhammadan urban constituency the percentage was 54 in 1923, but only 27 in 1926; while in the Muhammadan rural constituency the percentage in 1923 varied from 77 to 28 and in 1926 from 69 to 55, and in the non-Muhammadan rural constituencies the variation in 1923 was from 45 to 39 and in 1926 from 76 to 43. Females were admitted to the franchise with effect from the 1923 election; they

have made very little use of the privilege as the figures below show :—

Year.	Number of voters.	Votes-polled.	Percentage.
1923	2,365	18	0.7
1926	4,073	210	5

In the legislative council elections a considerably larger percentage of female voters made use of the franchise, namely, 2.8 in 1923 and 10 in 1926. The explanation possibly lies in the fact that a larger proportion of the Assembly voters belong to a somewhat higher station in life where old customs still have a stronger hold.

443. The figures of claims and objections so far as they are on record are as follows :—

Year.	Claims.	Objections.
1920	242	318
1923	197	3
1926	615	11

The 1920 and 1926 figures are probably approximately accurate. The 1923 figures are incomplete. Of the claims made in 1926 nearly two-thirds were made in two districts. In the great majority of districts the number of claims was insignificant.

444. The electoral rolls for the Legislative Assembly are prepared and maintained in exactly the same manner as the rolls for the provincial legislative council. It is therefore unnecessary to add here to what has already been said in para. 176 of the first volume of this report on the working of Government in this province.

445. There are sixteen constituencies. Fifteen of these are general and communal. One is a special constituency for the large landholders. A list of these constituencies together with information as to the area, population, and number of electors in each will be found in the appendix to this chapter. These constituencies vary enormously in area, population and electorates. The area of the largest is 39,761 square miles, and of the smallest, leaving the two urban constituencies out of account, 8,645 square miles. The largest has nearly 10,000,000 inhabitants and the smallest less than 400,000. The most numerous electorate is 35,004 and the smallest 2,101. The difficulties of dealing with a constituency with an area of nearly 40,000 square miles, about two-fifths of the size of the British Isles, are so obvious that they need only be mentioned. The

member representing such a constituency can hardly be expected to have an intimate knowledge of, or to keep in touch with, any but a small part of the constituency. An electorate of 35,004 would perhaps not be unmanageably large from the candidate's point of view if it were confined to a small area, but when it is distributed throughout five districts with a total area of nearly 10,000 square miles, the problem of establishing close relations with the electorate clearly becomes a serious one. In the rural areas the non-Muhammadan constituencies have the smaller areas and the larger electorates and the Muhammadan constituencies the larger areas and the smaller electorates. This is an inevitable result of the unequal distribution of the two communities. For each non-Muhammadan member there are 19,644 voters and for each Muhammadan member 5,412.

Candidates.

446. There has been no general lack of candidates. The number was largest in 1920 when there were forty-seven candidates, of whom six ultimately withdrew, for ten contested seats. In 1923 there were twenty-eight candidates for eleven contested seats and in 1926, twenty-four for ten seats. The reason for the large number at the first election probably was that the people had not accommodated themselves to the large constituencies which included several districts each with its own places of importance, with the result that many of the important centres put up their own candidates. In some constituencies there were as many as six candidates. In subsequent elections the futility of this procedure has been realized and party influence has also probably been brought to bear, with the result that in most constituencies there has been a straight contest between two candidates. There has been no competition whatever to represent European interests and the European seat has not been contested at a single election.

Party organization.

447. The extent to which there has been any organized party activity at the different elections has been discussed in the chapter on the provincial legislature and there is little to add here. The elections for the provincial legislative council and the Legislative Assembly have been held simultaneously and organization for the one has merged in the organization for the other. But the interest in the Assembly elections has been less than the interest in the council elections and party organization has probably played a less important part.

Deposit.

448. Candidates have since the 1923 election been required to make a deposit of Rs. 500, which is forfeited to Government if the candidate fails to poll one-eighth of the total votes polled. In the 1923 election two candidates and in the 1926 election one candidate forfeited their deposits.

Mention has already been made of the opinion in favour of an increase of the deposit of Rs. 250 required from candidates for the provincial legislative council, and if that amount is increased it will clearly be desirable to increase also the deposit demanded from candidates for the Assembly, even though, owing to lack of interest in the Assembly elections and also for other reasons, there is perhaps not quite the same danger of men of straw coming forward as candidates.

449. In regard to such matters as the means of securing the attendance of voters at the poll, canvassing, conduct of voters, the extent of illiteracy and personation, what has been said in regard to the provincial legislature applies with little modification to the Assembly. There is less canvassing and what there is is more personal. It is probably also somewhat less effective. Arrangements for bringing voters to the poll are not so necessary as a larger proportion of the voters have their own conveyances and many come to the poll *suo motu*. The percentage of literacy among the Assembly voters is naturally higher, particularly in the urban areas. The main difference between the elections of the two bodies is that the Assembly elections arouse little interest and no excitement and are completely overshadowed by the council elections.

450. The number of invalid and tendered votes recorded at the three elections were as follows:—

Year.	Invalid.	Tendered.	Remarks.
1920	..	2,754	..
1923	..	855*	8† *Figures of two contests not available. †Figures of seven contests not available.
1926	..	942	16

The percentage of invalid votes to votes polled at each election fell from 7·7 in 1920 to 1·8 in 1923 and to 1·2 in 1926. The 1926 percentage is practically the same as that for the legislative council election. It might perhaps have been expected to be less but it should be remembered that the invalid votes in the provincial council elections are recorded by the literate and not by the illiterate voters. It is therefore not really surprising that the percentage is practically the same in each case.

451. In the first Assembly the representatives of this province were mostly landholders and lawyers holding moderate views. There was a marked change in the second Assembly as a result of the success of the *swaraj* party in the 1923 election. Politicians became prominent among the provincial

Miscellaneous matters.

Invalid and tendered votes.

Members elected.

representatives, of whom eight openly professed extremist views. At the 1926 election there was some reaction. The *swarajists* lost ground to the nationalist and independent parties. In the last two assemblies the rural classes of this province have been very inadequately represented. The great majority of the provincial representatives have been townsmen. Among these representatives have been such important men as Pandit Moti Lal Nehru, Pandit Madan Mohan Malaviya and Pandit Hirdey Nath Kunzru. The majority of the representatives have, however, been men of very moderate ability who have made no mark in the life of the province. Men of ability who wish to do constructive work and play a higher part than that of critic are not attracted to the Assembly. Such men naturally stand for the provincial council with the hope of obtaining office as minister. The Assembly affords a wider field for able men who wish to serve the country as opposition leaders and will continue to attract men of this type. So long, however, as it does not afford an avenue to preferment of a substantial nature it is not likely to attract men of ability who enter public life with a view to constructive work.

B.—THE COUNCIL OF STATE.

Provincial representa- tion.

452. The Council of State consists of thirty-three elected members and twenty-seven members nominated by the Governor-General. Of the thirty-three elected members five are elected by constituencies in this province. The electorates in these constituencies are general communal electorates, three being non-Muhammadan and two Muhammadan. The system of election is direct, as in the case of the Legislative Assembly.

System of election.

453. The desire of the authors of the Report on Indian Constitutional Reforms was that the Council of State should develop something of the experience and dignity of a body of elder statesmen and that the qualifications of candidates should be such as would insure that their status and position and record of services would give to the council a senatorial character and the qualities usually regarded as appropriate to a revising chamber. They also suggested that about two-thirds of the elected members should be elected by the provincial legislative councils and that the remaining third should be elected by a system of direct election. The Franchise Committee recommended election by the provincial legislative councils of all the elected members except two representatives of European commerce. In the end, however, a system of

direct election was decided upon. The Government of India suggested that the franchise in this province should be so framed as to yield an electorate of about 2,000 who would elect members from among their own number. The restriction on the size of the electorate was, however, later removed. This Government proposed a franchise which they estimated would yield an electorate of about 3,000. At the first election in 1920 the electorate was actually 2,912.

454. The franchise qualifications which have been in force since the 1925 election are given in full below. The two main qualifications are the possession of land of a substantial value and the possession of a substantial income. Persons who have served the community in various ways, for example, as members of legislative bodies and chairmen and vice-chairmen of municipal and district boards, are also included in the franchise. The existing qualifications as laid down in the rules are :—

A person shall be qualified as an elector for a general constituency who has a place of residence in the constituency and who—

- (a) is the owner of land in the constituency in respect of which land revenue amounting to not less than Rs. 5,000 per annum is payable, or
- (b) is the owner of land in the constituency free of land revenue, if the land revenue nominally assessed on such land in order to determine the amount of rates payable in respect of the same, either alone or together with any land revenue payable by him as owner in respect of other land in the constituency, amounts to not less than Rs. 5,000 per annum, or
- (c) was in the financial year preceding that in which the electoral roll or the list of amendments thereto, as the case may be, for the time being under preparation is first published under these rules, assessed to income-tax on an income of not less than Rs. 10,000, or
- (d) is or has been a non-official member of either chamber of the Indian legislature or has been a non-official member of the Indian Legislative Council as constituted under the Government of India Act, 1915, or any Act repealed thereby, or is or has been at any time a non-official member of the United Provinces legislative council, or

- (e) is or has been the non-official chairman or is the non-official vice-chairman of a municipal board constituted under the U. P. Municipalities Act, 1916, or of a district board constituted under the U. P. District Boards Act, 1906, or
- (f) is or has been a fellow or an honorary fellow or is a member of the senate or court of any university constituted by law in British India or is a member of the council of the University of Rangoon, or
- (g) is or has been the president of a chamber of commerce in the United Provinces, or
- (h) is the non-official president or vice-president of a co-operative central society which is a registered society within the meaning of section 2 of the Co-operative Societies Act, 1912, or
- (i) is recognized by the Government as the holder of the title of Shams-ul-Ulama or of the title of Mahamahopadhyaya :

Provided that—

- (i) no person other than a Muhammadan shall be qualified as an elector for a Muhammadan constituency, and
- (ii) no Muhammadan shall be qualified as an elector for a non-Muhammadan constituency.

Explanation.—A person shall be deemed to have a place of residence in a constituency if he—

- (a) ordinarily lives in the constituency, or
- (b) has his family dwelling house in the constituency and occasionally occupies it, or
- (c) maintains in the constituency a dwelling house ready for occupation in charge of servants and occasionally occupies it.

The electorate.

455. The electorate in 1920 was 2,912. At the 1925 election it was 3,495. This increase was partly due to a change in the qualifications whereby members of the courts of universities were included in the franchise and partly due to additions to the electoral roll under the existing qualifications, particularly that based on payment of income-tax.

Constituencies.

456. There are five constituencies in the province, three non-Muhammadan and two Muhammadan. The statement below shows the extent of these constituencies, the number of

voters in each and the number of votes polled at the two elections :—

Name and class of constituency.	Extent.	1920.		1925.	
		Number of voters.	Votes polled.	Number of voters.	Votes polled.
United Provinces Central (non-Muhammadan).	Oudh	460	325	637	..
United Provinces Northern (non-Muhammadan).	Meerut, Rohilkhand, Agra and Kumaun divisions.	992	449	889	537
United Provinces Southern (non-Muhammadan).	Jhansi, Allahabad, Feraes and Gorakhpur divisions.	1,056	..	1,475	831
United Provinces West (Muhammadan).	Allahabad, Jhansi, Agra, Rohilkhand, Kumaun and Meerut divisions.	235	..	293	227
United Provinces East (Muhammadan).	Oudh and Gorakhpur and Benares divisions.	169	..	201	..

It will be observed that the constituencies are territorially very large and that the number of electors in some of them, particularly in the two Muhammadan constituencies, is extremely small. This, however, is an inevitable result of a system of direct election combined with a very small electorate.

457. The arrangements for elections for the Council of State are entirely different from those for elections to the Legislative Assembly. Owing to the small number of electors in each district no elaborate arrangements are required. Polling is carried out at the head-quarters of the districts under the immediate supervision of the district officers. Election arrangements.

458. At the 1920 election only two of the five constituencies were contested. In one of these contested elections there were no fewer than six candidates, while in the other there were only two. At the 1925 election there were contests in three constituencies, in which the number of candidates was two, three and four respectively. There has been no contest in one constituency at either election. A second constituency was contested at both elections. In the other three there were contests at one or other of the elections. Contested elections.

**Status of
members.**

459. The members returned to the Council of State have on the whole been men with an established position in this province. Of the members returned in 1920 four were big landholders and the fifth a legal practitioner who had taken a prominent part in politics. Of the members returned at the 1925 election, the three non-Muhammadans were again big landholders who had sat in the previous council. The two Muhammadans were both legal practitioners and prominent politicians and one of them had for some years been the chairman of an important municipal board. There have been three vacancies, owing to deaths or resignation, since the 1925 elections and these have been filled by the election of two very prominent Muhammadan landholders and a Hindu lawyer. Of these provincial representatives in the Council of State the majority have been men of distinctly progressive views and only three could be regarded as really conservative.

APPENDIX.

APPENDIX TO PART IX.

Indian Legislature. List of constituencies showing area, population and electorate.

Name of constituency.	Class of constituency.	Extent of constituency.	Area in square miles.	Population.			Electors.		
				Males.	Females.	Total.	Males.	Females.	Total.
<i>A.—Legislative Assembly.</i>									
Cities of the United Provinces (Non-Muhammadan).	Non-Muhammadan Urban.	The municipalities and cantonments of Agra, Meerut, Cawnpore, Benares, Allahabad, Bareilly and Lucknow.	..	477,253	353,996	831,249	15,119	534	15,653
Meerut division (Non-Muhammadan).	Non-Muhammadan Rural.	The Meerut division excluding the municipality and cantonment of Meerut.	9,681	1,770,012	1,493,113	3,263,125	34,426	578	35,004
Agra division (Non-Muhammadan).	Do. ..	The Agra division, excluding the municipality and cantonment of Agra.	8,645	1,884,316	1,571,993	3,456,309	32,116	539	32,655
Rohilkhand and Kumaun divisions (Non-Muhammadan).	Do. ..	The Rohilkhand and Kumaun divisions, excluding the municipality and cantonment of Bareilly.	24,250	2,587,860	2,296,195	4,884,055	18,498	537	19,035

Allahabad and Jhansi divisions (Non-Muhamadan).	Do.	..	The Allahabad division, excluding the municipalities and cantonments of Allahabad and Cawnpore, and the Jhansi division.	20,682	2,984,497	2,694,493	5,678,990	17,357	854	18,211
Benares and Gorakhpur divisions (Non-Muhamadan).	Do.	..	The Benares and Gorakhpur divisions, excluding the municipality and cantonment of Benares.	19,079	4,858,601	4,767,976	9,626,577	12,299	309	12,608
Lucknow division (Non-Muhamadan).	Do.	..	The Lucknow division, excluding the municipality and cantonment of Lucknow.	12,057	2,406,039	2,146,004	4,552,043	10,405	411	10,816
Fyzabad division (Non-Muhamadan).	Do.	..	The Fyzabad division ..	12,101	2,849,407	2,769,387	5,618,794	12,516	555	13,171
Cities of the United Provinces (Muhamadan).	Muhamadan	Urban.	The municipalities and cantonments of Agra, Meerut, Cawnpore, Benares, Allahabad, Bareilly and Lucknow.	..	231,042	187,978	419,020	6,900	362	7,262
Meerut division (Muhamadan).	Muhamadan	Rural.	The Meerut division, excluding the municipality and cantonment of Meerut.	9,181	537,270	463,959	1,001,229	9,945	215	9,560
Agra division (Muhamadan).	Do.	..	The Agra division, excluding the municipality and cantonment of Agra.	8,645	201,658	169,833	371,491	2,101	..	2,101

Indian Legislature. List of constituencies showing area, population and electorate—(concl'd.).

Name of constituency.	Class of constituency.	Extent of constituency.	Area in square miles.	Population.			Electors.		
				Males.	Females.	Total.	Males.	Females.	Total.
Rohilkhand and Kumaun division (Muhammadan).	Muhammadan Rural.	The Rohilkhand and Kumaun divisions, excluding the municipality and cantonment of Bareilly.	24,550	707,293	634,125	1,341,418	5,276	228	5,504
United Provinces Southern divisions (Muhammadan).	Do. ..	The Allahabad, Jhansi, Benares and Gorakhpur divisions, excluding the municipalities and cantonments of Allahabad, Cawnpore and Benares.	39,761	847,565	827,898	1,675,463	3,758	266	4,024
Lucknow and Fyzabad divisions (Muhammadan).	Do. ..	The Lucknow and Fyzabad divisions, excluding the municipality and cantonment of Lucknow.	24,158	823,624	786,218	1,609,842	3,722	301	4,023
<i>B.—Council of State.</i>									
United Provinces Central (Non-Muhammadan).	Non-Muhammadan.	The Lucknow and Fyzabad divisions.	24,158	5,423,448	5,038,213	10,461,661	..	..	637
United Provinces Northern (Non-Muhammadan).	Do. ..	The Agra, Meerut, Rohilkhand and Kumaun divisions.	42,376	6,610,668	5,636,973	12,247,641	..	..	889

United Provinces Southern (Non- Muhammadan).	Do. ..	The Allahabad, Jhansi, Gorakhpur and Benares divisions.	39,761	8,375,478	7,819,975	16,195,453	..	..	1,475
United Provinces West (Muham- madan).	Muhammadan	The Allahabad, Jhansi, Agra, Rohilkhand, Meerut and Kumaun divisions.	63,058	1,891,846	1,667,215	3,559,061	..	..	293
United Provinces East (Muham- madan).	Do. ..	The Lucknow, Fyzabad, Benares and Gorakhpur divisions.	43,237	1,486,305	1,425,636	2,911,971	..	..	201

NOTE.—The number of electors shown is the number on the electoral roll in 1926 in the case of the Legislative Assembly and in 1925 in the case of the Council of State,

PART X.

PROPOSALS FOR CHANGES IN THE CONSTITUTION.

FRANCHISE AND ELECTORATES.

THE existing franchise was so framed as to limit the electorate to a size which was considered manageable. In 1920 it provided an electorate of 1,345,922, which by 1926 had risen to 1,598,996. In 1926 just over half the electors went to the poll. At the two earlier elections the proportion was smaller. Government have so far experienced no serious difficulty in dealing with the elections, but as little more than half the electors have recorded their votes at any election, the adequacy of the machinery for even the existing electorate has not yet been fully tested. Even so, some returning officers have reported that the existing electoral arrangements make a heavy call on the resources of the district and that there would be difficulty in handling an electorate substantially larger than the present one. The existing arrangements are elaborate and were so designed as to place a polling station within easy reach of every voter. Every effort has been made to make the arrangements suitable to the needs of an illiterate, ignorant and inexperienced people. With less elaborate arrangements a much larger electorate could doubtless be handled, for in these circumstances the available staff could be concentrated at fewer centres and thus enabled to deal with a larger number of voters and, on the other hand, owing to having further to travel a lesser proportion of the electorate would come to the poll. But that would merely be to retard real progress, whereas our purpose is to train the people in the use of the vote and the best way to accomplish that is to begin with a comparatively small electorate and to induce the people to vote by making voting as easy as possible. We are certainly not prepared to say that a larger electorate could not be handled, but we consider that Government would find difficulty in handling in a really satisfactory manner an electorate much larger than the present one so long as the electorate is largely illiterate.

2. The great majority of the electorate are not only illiterate but also ignorant of and without interest in the affairs of the province as a whole. A sense of citizenship has still to be developed. We would not regard literacy by itself as a satisfactory qualification for the franchise any more than we would regard illiteracy as necessarily a disqualification. But the present position in this province, and in this there has been no appreciable change since 1920, is that illiteracy is combined

with ignorance and lack of citizen-sense in the case of a very large majority of the electors. It is true that the rural voter has gone to the poll in increasing numbers at each election, but this has been due more to better organization on the part of candidates than to greater interest or understanding on the part of the voters. There has so far been little evidence of the electorate thinking for itself and showing the result in its votes. The rural electorate is composed mainly of small landholders and tenants and it is fairly representative of the predominant interest of the province, namely, agriculture. At the same time the great bulk of the rural population, consisting of agricultural labourers, menial castes, etc., is outside the franchise and its interests are only partially represented by the existing electorate. There is, however, no reason to believe that the interests of that unenfranchised section have up to the present suffered through their exclusion from the franchise. The figures of the class composition of the successful candidates for election are interesting. In the province as a whole the four leading Hindu castes, Brahman, Thakur, Vaishya and Kayasth form 21.5 per cent. of the total Hindu population, but these four castes have supplied no less than 93 per cent. of the Hindu members of council. The Jats, with 1.8 per cent. of the population, have contributed another 5 per cent. to the Hindu membership; and all the millions included in the multitude of other Hindu castes, including the real agricultural castes, though they amount to over 76 per cent. of the Hindu population have only succeeded in supplying 2 per cent. of the representation. With a fuller appreciation of the meaning of representation we would expect an extension of the field from which members are selected.

Two suggestions considered.

3. We have seen only two definite suggestions for the widening of the franchise and desire to say a word about each. The first is the proposal of the committee of the All-Parties Conference that adult franchise should be granted. The main ground on which that proposal was based was to make the voting ratio correspond with the population ratio. So far as the main communities of this province are concerned the existing franchise secures that result. The non-Muhammadan electorate is 3.6 per cent. of the non-Muhammadan population and the Muhammadan electorate is 3.5 per cent. of the Muhammadan population. The main ground for the proposal has therefore no particular force in the province. (Adult suffrage would in this province yield an electorate of about 24 millions. Apart from all other considerations our existing resources are quite inadequate to deal with an electorate of that size. The second proposal is that the franchise should be extended so as

to include all persons who have a certain educational qualification based on the matriculation or school leaving certificate examination. Our objection to this proposal is that it would be an exception to the general principle on which the existing franchise is based, namely the possession of certain property qualifications.) The Government of India in para. 4 of their despatch no. 4, dated April 23, 1919, observed that they had not found it possible "in practice to introduce any educational modification of the qualifications based on wealth." Our own view is that it is undesirable to depart from the general principle on which the existing franchise is based.

4. The payments of agricultural rent on the one hand and land revenue on the other which form a qualification for the franchise are at present Rs. 50 and Rs. 25. This ratio is based on the old established rule that land revenue should in theory be fifty per cent. of the assets. (If the Land Revenue (Amendment) Bill which is at present before the legislative council of this province becomes law, the percentage of land revenue to assets will be reduced from fifty to forty. We suggest that if that percentage is statutorily fixed at forty, the payment of land revenue to form a qualification for the franchise should be reduced from Rs. 25 to Rs. 20 so as to keep the ratio between the two payments the same as the ratio of land revenue to assets.) The effect of this change, so far as we can estimate it from information at our immediate disposal, would be to add about 30,000 new electors to the rolls. Apart from this minor change we would retain the existing franchise.) In defence of this proposal we would point out that in England the comparatively restricted franchise introduced in 1832 stood for 35 years. After 1867 there was no further alteration for 17 years and again after 1884 no substantial alteration for 34 years. In this country we have still had less than eight years' experience of the franchise of 1920 and there is, among the people most closely concerned, no real demand for its extension.

Modification
proposed.

SYSTEM OF ELECTION.

5. The Upper India Chamber of Commerce have submitted to the Commission a memorandum in which they state that the present system has not brought into the legislatures the true representatives of the people. "The vast agricultural population of India is believed to be almost entirely without adequate representation." In proof of this statement they point out that in the United Provinces legislative council forty-one of the elected members are urban lawyers, the great majority of whom are returned by rural constituents. The remedy suggested by the Chamber is a reversion to the system of indirect

Indirect
election
relected.

election based on the village *panchayat* as the primary unit. They would permit all adult male inhabitants of a village to vote for the election of the *panchayats*. The *panchayats* in turn would elect the members of the district boards. The members of the district boards, and also of the municipal boards, which would be directly elected, would form an electoral college for the election of members of the provincial legislature. There are obvious objections to this system. In the first place, it would not be an act of wisdom to condemn the existing system after only eight years' experience. In the second place, the village *panchayat* has not at present a definite or recognized existence on any large scale in this province. A number of such bodies have been created under the Village Panchayat Act, but the number so constituted on March 31, 1927, was only 4,594, while the number of villages in the province as recorded in the census of 1921 was 104,347. The necessary machinery for working the system is not therefore in existence, and would take a very great deal of building up. In the third place, it is at least doubtful whether the members returned by electoral colleges consisting of district and municipal boards would differ materially from the members returned by a system of direct election. We have set out to educate the population in the use of the vote and there can be no question that a system of direct election is far more educative than an indirect system. For all these reasons it would seem unwise to make a change on the lines suggested by the Chamber.

COMMUNAL ELECTORATES.

All-Parties,
proposal
considered.

6. The objections to a system of communal electorates were clearly recognized by every one concerned with the continuance of such a system in the Reforms of 1920. The authors of the Report on Indian Constitutional Reforms, the members of the Franchise Committee, and the Government of India were all opposed to such electorates in principle, but were all forced to the conclusion that in practice there was no escape from them. In what way has the position changed since then? Both the principle and the exact mode of its application were in 1919 matters on which Hindus and Muhammadans were in agreement. Communal electorates had been introduced by the Morley-Minto reforms and their working had presumably given satisfaction to both communities. To-day the position is different. The Hindu leaders are not only not prepared to continue these electorates but are not even prepared to continue to the Muhammadans the proportion of representation at present secured to them by these electorates,

All that they are prepared to concede, so far as this province is concerned, is that fourteen per cent. of the elected seats should be reserved for the Muhammadans and that election to these seats should be made by mixed and not by communal electorates. The Muhammadans on the other hand, as a community, for there are exceptions, will not be satisfied with anything less than their present proportion of representation filled by their own electorates. There is therefore no longer agreement on this crucial question. The Hindus attribute some of the present bitterness of feeling to the existence of communal electorates. The Muhammadans point to the fact that such electorates existed before 1920 without exacerbating religious feeling and they hold that the existence of communal tension is due to other causes than the existing system of election. So far as this province is concerned, there is nothing to support the view that the outbreak of tension in 1923 and 1924 was in any way connected with communal electorates. On the other hand the existence of those electorates has undoubtedly tended to give the Muhammadans a greater sense of solidarity and security in the face of what they consider the aggressive attitude of the majority community, and to that extent may have done something to render the feelings of the latter community more bitter. The position is thus even more difficult than it was in 1919. The committee of the All-Parties Conference recommended that the Muhammadans in addition to being given fourteen per cent. of the elected seats by a system of reservation should be free to contest other seats. They observed that they were convinced that the Muhammadans stood to gain more seats under this arrangement than they have at present under the existing system. The committee give no reasons for this conviction other than that in several urban areas in the United Provinces the Muhammadans are in a majority and in others they form a strong and influential minority. It is true that in fourteen municipalities they are in a majority. Most of these are, however, small places such as Deoband, Kairana, Nagina, Najibabad, Bijnor, Chandpur, Sahaswan, and Tilhar. The only two large towns included in the fourteen are Saharanpur and Moradabad. Towns of medium size are Budaun, Sambhal and Amroha. The large towns in which they form nearly fifty per cent. of the population are Meerut, Aligarh, Bareilly, and Lucknow. Even if the Muhammadans did gain a fair proportion of seats in the urban areas, the total urban representation is, and must remain, so small in comparison with the rural representation that this would be of comparatively small avail to them in the total

representation of the province. The proportion of Muhammadans in districts of the province was in 1921 as given below :—

DISTRICTS.

<i>Names of districts.</i>	<i>Number of districts.</i>	<i>Percentage of Muhammadans.</i>
Moradabad and Bijnor	2	35 or over
Saharanpur	1	30 to 34
Bareilly and Muzaffarnagar	2	25 to 29
Meerut, Naini Tal, Lucknow and Bahraich.	4	20 to 24
Bulandshahr, Budaun, Pilibhit, Basti, Sitapur, Kheri, Gonda and Bara Banki.	8	15 to 19
Dehra Dun, Aligarh, Agra, Etah, Shahjahanpur, Farrukhabad, Fatehpur, Allahabad, Benares, Gorakhpur, Azamgarh, Har-doi, Fyzabad, Sultanpur and Partabgarh.	15	10 to 14
Muttra, Mainpuri, Etawah, Cawnpore, Jhansi, Jalaun, Hamirpur, Banda, Mirzapur, Jaunpur, Ghazipur, Ballia, Unao and Rae Bareli.	14	5 to 9
Almora and Garhwal	2	Less than 5

It will be seen that the Muhammadans are not in a majority in a single district and that in only nine out of the forty-eight districts have they twenty per cent. or over of the population. If elections were on a district basis as at present, they would stand very little chance of gaining anything like a fair proportion of representation from mixed electorates. In fact if feeling ran on communal lines there is no reason why they should win any seats at all. The All-Parties Conference Committee's statement was of course connected with their proposal that there should be adult suffrage and in that case the electoral unit would have to be very much smaller than it is. But if the distribution of population by tahsils is examined, it will be found that it makes no appreciable difference. There is not a single tahsil in the province in which the Muhammadans are more numerous than the Hindus and only a very few tahsils in which their number even approaches that of the

Hindus. In Moradabad tahsil the proportion is 125 Hindus to 113 Muhammadans and in the Thakurdwara tahsil of the Moradabad district, 52 to 41. After these come two tahsils in the Bijnor district, Najibabad and Nagina, where the proportions are 84 to 59 and 85 to 54, Saharanpur tahsil with 175 to 117 and the Bareilly tahsil with 191 to 112. Thus even in that part of the province where the Muhammadans are most numerous their proportion in the rural areas is so low that there is no reason why they should gain any seats at all on a system of straight voting by mixed electorates even with the tahsil as the electoral unit.

7. The Joint Select Committee thought that the principle of proportional representation might be found particularly applicable to the circumstances of India and recommended that the suggestion should be fully explored so that there might be material for consideration by the Statutory Commission. The All-Parties Conference Committee considered recommending a system of proportional representation. They say on page 36 of their report "We feel strongly attracted to this method and are of opinion that it offers the only rational and just way of meeting the fears and claims of various communities." They saw no insuperable difficulties in the way of giving a trial to the system. But on the ground that some of their colleagues were not satisfied that it could be introduced at this stage in India, they refrained from recommending it. So far as this province is concerned there can be little doubt that a system of proportionate representation is not workable at the present stage. It was considered and rejected by the Franchise Committee in 1919 and the position has not changed to any material extent since then. All reliable evidence goes to show that the rural voter—and he is the average voter—finds sufficient difficulty in casting a straight vote for a single candidate. To ask him to arrange candidates in order of preference, even with the existing franchise, would be to try him much too highly, Special electorates are on a separate footing and we shall deal later with the question of introducing proportionate representation in some of them.

Proportional representation.

8. If we reject a system of proportional representation the issues are narrowed down to these :

Communal electorates to be retained.

- (1) whether mixed should be substituted for communal electorates, and
- (2) whether the Muhammadans should be given a proportion of representation larger than their proportion to the whole population.

For, so far as we are aware, it has never been seriously suggested that the Muhammadans should be denied some measure of special representation. It is hardly necessary for us to weigh the comparative advantages of mixed and communal electorates. The main defect of the system of mixed electorates is that it places in the hands of the major community the virtual power of dictating whom the representatives of this minority shall be, without giving the minor community any effective share in the choice of the representatives of the majority. If we were convinced that communal electorates were mainly, or even largely, responsible for the present state of communal feeling, we might have been prepared to give a trial to mixed electorates in spite of this defect. But, as we have said already, we are satisfied that the real cause of communal tension must be sought elsewhere. The fact that both communities agreed in regard to their retention in 1916 seems to afford proof of the fact that they had not worked unsatisfactorily up till that year. It was only after the Reforms, which were regarded as the first stage in the transfer of power from the official Government to the people, were introduced in 1921 that communal tension became severe and widespread. We do not attribute that tension primarily to the electorates and we do not believe that the substitution of mixed for communal electorates would materially improve the feeling between the two communities. For these reasons we recommend that the *status quo* should be maintained.

Extent of
Muham-
madan
representa-
tion.

9. The Muhammadans of this province, though only fourteen per cent. of the population, were given thirty per cent. of elected representation as a result of the Lucknow Pact of 1916, an essential feature of which was that in some other provinces the proportion of representation secured to their community was less than their proportion in the total population. We have heard it suggested that because the Hindus have withdrawn from the 1916 agreement, there is no longer any justification for giving to the Muhammadans representation in excess of their proportion to the population. We agree that the whole position has been changed by the withdrawal of the Hindus and that it must be re-examined with regard to the circumstances not of this province only but also of all other provinces. So far as our own province is concerned, however, we wish to urge most strongly that any reduction of the representation of the Muhammadan community is politically most undesirable. The Muhammadans occupy a position in the life of the province which cannot be measured by their numerical proportion. They look upon this province as the former home of the Muhammadan rulers of India and recall with pride the

days when they were its rulers. They have an intense pride in their own history and culture and a natural desire to remain in a position in which they will be able to protect their special interests by constitutional means. Any serious reduction in the position which they now occupy might prejudice the political progress of the province. As the Government of India observed in 1919 "the effectiveness of a minority depends upon its being large enough to have the sense of not being entirely overwhelmed." Without prejudice to the larger issues involved, we therefore press strongly that the Muhammadans should be allowed to retain thirty per cent. of the elected seats in the legislative council.

SPECIAL ELECTORATES.

10. We now turn to consider the special electorates. These are at present the three landholders' electorates, the two Chambers of Commerce electorates and the University electorate. Alterations in each class have been claimed by different interests. The Agra landholders return two representatives from separate constituencies and the Oudh taluqdars return four members from one constituency. The claim of the Agra landholders to increased representation dates from the introduction of the Reforms. The taluqdars were given larger representation on the ground that they were a better organized and more influential body than their Agra neighbours. That was true in 1919 and is to some extent still true. But the big Agra landholders represent a separate interest just as much as the taluqdars and they are now better organized than they were. Those of them who pay Rs. 5,000 and over far outnumber the taluqdars. (The electors number 716 in the two Agra constituencies and only 373 in the taluqdar constituency, and of the taluqdars nearly one-fifth are men paying less than Rs. 5,000 land revenue. The taluqdar representation is roughly one member for every hundred electors. If the same ratio were applied to Agra there would be an increase to seven, which is the number asked for in a resolution which was passed during the last session of the legislative council. On the same ratio the 102 non-taluqdar landholders in Oudh who pay over Rs. 5,000 land revenue, and at present receive no special representation, would get a single member. This would give a total of twelve landholders. We do not consider this excessive in the special circumstances of this province.) It is true that landholders have secured a considerable measure of representation through the general electorates since 1920, but we anticipate that in the future the landholders are likely to become more dependent on their own special electorates.

**Chambers of
commerce.**

11. The United Provinces Chamber of Commerce has at present one member and the Upper India Chamber two members. The former chamber claims equal representation. The claim is based on the view that the United Provinces Chamber is more representative of Indian trade and commerce than the Upper India Chamber. The original differentiation was based on the ground that the Upper India Chamber controlled far more capital than the United Provinces Chamber and occupied a position of much greater importance. There is little comparison in the capital controlled by the members of the two chambers. The Upper India Chamber includes all the big commercial and industrial concerns in the province. The United Provinces Chamber on the other hand is more representative of small Indian concerns, such as piece-goods importers, oil and grain millers, etc. It has a much less stable membership than the older chamber and the amount of arrear subscriptions written off annually suggests that a considerable number of its members have little interest in its work. It has a larger membership than the Upper India Chamber, but it admits to its membership any individual interested in trade, commerce or industry, and quite a number of its members appear to be only indirectly so interested. Its representative in the legislative council since 1921 has been a lawyer and not a commercial man in the strict sense. There is no doubt that the Upper India Chamber is the better organized and the more influential body and that it represents far wider commercial and industrial interests than the United Provinces Chamber. There is nothing to show that the comparative position of the two chambers has materially changed since 1919 and we are unable to recommend equal representation.

**Universi-
ties.**

12. The two new universities of Agra and Lucknow are at present unrepresented. Their claim to representation can hardly be resisted. The only questions that arise are whether each of these universities should be given a separate member, whether they should be given a member between them, or whether all three universities should be grouped in one constituency and given one or more members. (We recommend that the Allahabad constituency should be retained and that the universities of Lucknow and Agra should be joined in a single member constituency. There is support for such grouping in English practice) In England the new universities have been grouped together in one constituency and the old universities of Oxford, Cambridge and London have been allowed to retain separate representation.

**Factory
labourers.**

13. The position in regard to factory labourers has been explained on pages 182 and 183 of volume I of this report. In

the whole province they numbered in 1926 just over 85,000 of whom about 15,000 were employed in purely seasonal factories. Cawnpore had the largest number of labourers with 30,712, next in order came Lucknow with 10,483, Gorakhpur with 6,387, Jhansi with 5,476, and Allahabad, Agra and Aligarh each with over 4,000. (A separate electorate could probably be created in Cawnpore but we see no possible method of constituting electorates for the labourers scattered throughout most of the other districts of the province. Apart from practical difficulties the arguments against the grant of special representation are briefly these—

- (1) Factory labourers do not at present constitute a separate class or community. They merge in and are indistinguishable from the mass of the agricultural classes.
- (2) Many of them are at present eligible for the franchise through having an income of Rs. 200 per annum on which municipal taxes are payable. The labour vote is reported actually to have influenced the 1923 election in Cawnpore.
- (3) There is little demand, even in Cawnpore, for special representation.
- (4) Factory labour is in this province of minor importance compared with agricultural labour. The proper way to admit both classes to the franchise, in so far as they are not already eligible, is by widening the general franchise; but the time for that has not yet come.
- (5) The interests of the labourers have not suffered by lack of representation in the provincial legislature. Factory legislation is a central subject.

14. A point of some importance in regard to these special electorates is the system of election in plural constituencies. It has been suggested that the system of proportional representation by the single transferable vote should be introduced in order to give minorities in these constituencies a chance of representation. This suggestion is an outcome of the experience of the Muhammadans in the elections since 1920. Out of thirty seats filled by special electorates since 1920 the Muhammadans have gained only two. These two were secured to them by mutual arrangement in the 1920 and 1923 contests in the taluqdars' constituency. In the 1926 contest, when communal feeling ran high, all four successful candidates were Hindus. The attempt at mutual arrangement in that year

A new proposal.

failed. The Muhammadans form nearly one-third of the electorate of that constituency. The exact numbers in 1926 were 121 Muhammadans out of 373 electors. (The single transferable vote system is for the educated elector a comparatively simple one and should be workable in our special electorates. Its advantage would be that it would give the minority community a reasonable chance of securing representation in some plural member constituencies without resort to communal electorates or reservation of seats. We would like to see it adopted in the case of the landholders' and taluqdars' constituencies.)

NOMINATION.

Nomination
to be
continued.

15. There remains for consideration the continuation of the system of nomination. At present, apart from expert members, the Governor is empowered to nominate twenty-one members of whom not more than sixteen may be officials and three shall be persons to represent special interests, namely, Anglo-Indians, Indian Christians and the depressed classes. There is probably no point on which there is more unanimity of opinion than the desirability of reducing or altogether abolishing the official *bloc*. The reasons for this are too obvious and well known to require explanation. Opinion differs more in regard to whether such a step is really practicable than as to whether it is desirable. Our own view is that ministers should not be altogether deprived of official assistance in the legislature but that that assistance should be confined to speaking in support and explanation of ministerial policy and should not extend to voting. (In the scheme which we suggest below the legislature is bi-cameral and most of the officials are placed in the upper house with the right of speaking in the lower house when required to do so by a minister. We would retain the nominated representatives of the Anglo-Indian and Indian Christian communities as we can see no method of creating suitable electorates for these scattered communities.) At present the Governor nominates one member to represent classes which in his opinion are depressed classes. As we have already pointed out the great mass of the community are unenfranchised. Apart altogether from what are commonly regarded as the depressed classes, there is a large section of the population which is unrepresented in the legislature and is so backward that it is unable to look after its own interests. The natural remedy for this would be to widen the franchise but we have already given reasons why this should not be done. (We are therefore compelled to fall back on nomination and we suggest that the Governor should be empowered to nominate five members to represent all these backward classes which

would include the depressed classes. In addition we would give the Governor three general nominations to be used to bring in representatives of any interests not otherwise represented or to redress communal inequalities.) We think it important that in making nominations other than those to represent the Anglo-Indian and Indian Christian communities the Governor should be instructed to see that he uses this power in such a way so as to retain in the council as a whole whatever proportion of representation is ultimately conceded to the Muhammadan minority. With three general nominations out of ten, it should be possible for him to do this and we understand that the Muhammadans attach very considerable importance to the matter. These proposals, taken as a whole, would reduce the nominated element in the legislature from twenty-one to eleven.

CONSTITUTION OF THE LEGISLATURE.

16. The suggestions outlined above are compared with the existing legislature in the statement below :—

<i>Elected members.</i>		<i>Proposed.</i>		<i>Present.</i>
Non-Muhammadans	60	60
Muhammadans	29	29
Europeans	1	1
Landholders	12	6
Chamber of Commerce	3	3
Universities	2	1
<i>Nominated members.</i>				
Officials	1	16
Non-officials	10	5
<i>Ex officio</i>	2
Total		...	118	123

THE EXECUTIVE GOVERNMENT.

17. After reaching the foregoing conclusions in regard to the franchise, the electorate, and the constitution of the legislature, we come to examine the most difficult problem of all, namely, the extent to which the legislature should be given increased powers of control over the executive. We feel that, even if a second chamber were introduced, the relation of the executive to the legislature must depend very largely on the

The problem for solution.

constitution of the popular chamber. Now the legislature suggested in the previous paragraph differs from that which has been functioning for the past eight years mainly in the removal of the official *bloc* and actual experience might be expected to act as a useful guide to the probable conduct of such a house. It would do so if the position and powers of the legislature were to remain unchanged. But the whole problem is to what extent the legislature can be given further responsibility and there is a great difference between conduct as a partially irresponsible body and conduct as a fully responsible one. Past experience is therefore not a guide on which full reliance can be placed. There is reason to believe that on many occasions the council might have taken a different line if the matter in issue had not been a reserved one for which it had no final responsibility. The division of subjects has undoubtedly prejudiced the council against reserved and in favour of transferred subjects and in the absence of such division it is quite likely that it would have held a more even balance. It might be claimed that even with such division the council as a whole has given Government a reasonable amount of support on the reserved side. But here the presence of the official *bloc* has to some extent obscured the real position. Without the support of official members Government would have found themselves in a minority in important divisions much more often than has actually been the case. If, however, we take a broad view, we are at once impressed by certain features of the working of the council since 1920. In the first place, the party system is largely lacking and personality has counted far more than party. There are really no well-defined parties in the English sense with different political programmes, and in the last few years there has developed a tendency towards division on communal lines. The *swarajist* group has the closest resemblance to a party. The nationalist group is held together more by personal influence than by adherence to any definite programme, while religion has not been an altogether unimportant factor in its composition. The landholders owe such unity as they have more to considerations based on questions affecting their own class than to agreement in regard to any policy on behalf of the province as a whole. There are thus groups rather than parties and it still remains to be seen whether a real party system is likely to be evolved. There has also been in the past a distinct tendency on the part of a section of the council to intervene in executive matters. This is a natural tendency in a council, the majority of whose members are more interested in the details of administration than in broad questions of policy, but it is none-the-less a dangerous one as the history of

our local self-governing institutions since 1923 has proved. The legislature will consist mainly of members elected by an electorate comprising less than four per cent. of the population. This legislature will not be divided on party lines and it has yet to be seen whether time will evolve any well-defined or well-organized political parties in the province. Religion is likely to be a disruptive factor of considerable importance. For some time, at any rate, the legislature will be easily swayed on racial issues. Lastly, there is still some lack of appreciation of the difference between legislative and executive functions, and there will for some time be a danger of the legislature showing more interest in the details of administration than in question of policy and showing a tendency to intervene in purely executive matters.

18. The demand of the majority of the classes interested in politics is no doubt for a system of provincial autonomy, by which is meant a parliamentary government, which will administer the affairs of the province subject only to such interference from the Central Government as is inseparable from a system in which a large country is divided on federal lines into states or provinces each with its own government. Before therefore we proceed further it is desirable that we should consider that demand and see whether a system of provincial autonomy can be erected on our foundations. It could be argued, as indeed the Ceylon Special Commission have argued, that a parliamentary system of government could not be based on an electorate consisting of less than four per cent. of the population. A reply to this line of argument has been put forward on the basis of the development of the electorate in England. Before 1832 there was a system of parliamentary government in England though the electorate was practically confined to the aristocracy. Even the Act of 1832 only extended the franchise to the middle classes, and it was not till 1867 that the urban working classes were included nor till 1884 that the rural labourers were brought in, while it was not until the present year that adult suffrage, male and female, was conceded. But in England even before 1832 there was behind the constitution a body that was not only ready but also able to support it against any attack. A parliamentary system was therefore workable even though the electorate was very restricted and practically confined to the aristocracy. But it was an oligarchic rather than a democratic system. Even, however, if we were content to set up an oligarchic system in this province there is at present no body or class which would be able to defend the constitution against any attack. The educated

Full
responsible
government.

middle classes obviously could not do so. The events of 1921 showed that the landed aristocracy could not do so. And there is among the mass of the people no such citizen-sense as to afford any hope that they would unite to resist a determined attack on the constitution in the way in which, for example, the people of Britain united in May, 1926. There are in this province disruptive factors—religious, social and economic—of very great potency which demand, in any case for the present, an administration which will command the confidence of every section of the community, and elements in the services which can be recognized as standing above communal considerations. We hope that with better feeling between the two major communities the position will change, but before such change takes place a system of full parliamentary government might in the long run lead not to advance but to a definite setback in constitutional development.

**Schemes of
advance :
first scheme :
transfer of
subjects.**

19. If then, for the present, we rule out a system of parliamentary government as impracticable, we must go on to consider whether there is any stage on the road to such a system to which we could without undue risk make an immediate advance. Certain lines of advance have been suggested and it will be useful if we begin by examining these. We may take them in a scale of increasing liberality. The first is the transfer of further subjects. This was at the time of the introduction of the present system regarded as the natural line of advance, and if dyarchy had worked smoothly and with goodwill of Indian public men generally it might well have been the line followed. Even as things are it is the line recommended by at least one section of opinion. There is this to be said for such a proposal that it retains the known instead of involving a plunge into the unknown. Whatever has been the experience of other provinces it can be held that dyarchy has been worked in this province without an undue amount of friction and with the maintenance of a reasonable standard of efficiency in the administration. It can further be urged that some of its defects are not inherent, for example, the anomalous position of the Finance department, but are capable of removal; again, there can be no question that there has been a very large transfer of real power from the official executive to the representatives of the people and that we have since 1920 made a great advance from the old position in which the country was administered by an official government. Lastly, there is a danger in too rapid advance and this proposal would give more time to the province to adjust itself to the rapidly changing conditions, and would ensure the maintenance of law and order and the protection of minorities to a far greater degree

than more advanced schemes. • On the other hand, there are some obvious objections to the adoption of this line of advance. The first is that it offers no remedy for the inherent defects of the dyarchic system. Dyarchy would continue with this difference only that the balance between the reserved and transferred sides would be somewhat altered. There would still remain reserved subjects in the administration of which the Governor in Council would have to face the opposition arising from the fact that such subjects are reserved from the full control of the legislature and the ministers would still be affected in their administration of the transferred subjects by their association with the Governor in Council. In the second place, such an advance would only give on a wider scale the same type of responsibility as the present constitution affords but not a more developed type.

20. What we may describe as a second proposal is a scheme which would retain dyarchy but is intended to overcome the main defects of the present system by providing a separate purse and a separate legislature for each side of the Government. This scheme has certain attractive features. It would form a natural development of the present system. It would reduce the opportunities for friction and confer on ministers a higher degree of responsibility to the legislature within their own range of subjects. It would also provide a better test of the capacity of the legislature. It would make the position of the reserved side more logical, though the means of doing this might be regarded as a retrograde step since the result would be that the reserved side would be altogether freed from the influence which the legislature at present exercises upon it. On the other hand, intensification of dyarchy would widen the gap between the official and the non-official element. The existence of two separate legislatures each with its own executive would give rise to administrative difficulties as subjects cannot be divided in such a way that they never overlap, and when differences between the two sides of the Government did arise they would be more difficult to settle than at present. These are all disadvantages so serious as to rob the scheme of any attractions it may otherwise possess.

Second
scheme
further
develop-
ment of
dyarchy.

21. The schemes next examined by us have this in common that they have a unitary government and no division of subjects though they differ in regard to the responsibility of the ministers, the constitution of the executive, the safeguards required and the authority on whom the responsibility for applying those safeguards should be imposed. All these schemes presuppose the maintenance of a central gov-

Third
scheme
a semi-
permanent
executive.

ernment substantially the same as, and certainly not less strong than, the present one. We class as the third scheme one in which the executive would consist of a Governor with a cabinet of non-official members, selected by the Governor from the elected members of the legislature, the chief member selected on the Governor's sole responsibility, the remaining members selected in consultation with the chief member. This cabinet would hold office for the life of the legislature unless they were dismissed by the Governor, themselves resigned or were turned out by a two-thirds majority vote of the legislature. The cabinet would stand or fall together. The Governor and his cabinet would have the assistance of a senior permanent official, who would be known as the financial adviser, and would exercise all the powers at present vested in the Finance department in addition to advising the Governor and his council on general matters. There would be no division of subjects. The Finance department would be in a special position, but its functions would be advisory, as indeed they are intended to be in the present constitution. A scheme with a very strong resemblance to this one, submitted by the heads of certain provinces in 1918, was considered and rejected by the authors of the Report on Indian Constitutional Reforms. The difficulty of the scheme lies in the position of the cabinet *vis-à-vis* the Governor on the one side and the legislature on the other. The members of the cabinet would be primarily responsible to the Governor, that is to Parliament, but they would also to some extent be responsible to the legislature. They could be dismissed by the Governor even when supported by the legislature. On the other hand, they must be dismissed by the Governor, when disowned by a two-thirds majority of the legislature; even though on the matter in issue they may have the Governor's support. If the cabinet were so chosen as to represent a majority of the legislature, it would be in a very strong position *vis-à-vis* the Governor. On the other hand, if it did not command a majority the legislature would in its turn be in a very strong position and would be able to refuse supply even though it might not have the necessary majority to dismiss the cabinet. It might be possible to provide certain safeguards meet these difficulties, such as the grant of power to the Governor to authorize such expenditure as he might consider necessary for the safety and tranquillity of the province or for the carrying on of any department. But the scheme fails to provide the executive with an affirmative power of legislation against a hostile legislature, and it would presumably be necessary to rely in this case on the power of higher authority to make ordinances and regulations. Attrac-

tive features of the scheme are that it gets rid of dyarchy, that it gives to the cabinet a large measure of stability, and that it ensures harmony between the executive and the legislature except when the opposition in the legislature is over fifty but under sixty-six per cent. of its strength at the time. On the other hand, the cabinet and the legislature might find their joint will frustrated with the possibility of a complete deadlock which would render it necessary for the Governor to take over the whole administration.

22. The next two schemes are those put forward by the Associated Chambers of Commerce and the Upper India Chamber of Commerce. They have certain common features. Both provide for the abolition of the division of subjects, a non-official executive, individually but not jointly responsible to the legislature, and a bi-cameral legislature. They differ in regard to the safeguards with which their proposals must be accompanied. The Associated Chambers propose to make High Courts a central subject and to entrust to them the transfer and posting of district and subordinate judges. That is their safeguard for the impartial administration of law and justice. They realize that adequate safeguards for the maintenance of order must also be set up, but they are unable to suggest what they should be or by what authority they should be exercised. They content themselves with the statement that while they find it difficult to make adequate proposals they do not consider it incompatible with the idea of giving full provincial control over the administration of the police force to provide some special safeguards resting with the Governor and the Governor-General to protect officers from persecution or unfair punishment. The Upper India Chamber deal with the problem of law and order in a different way. They propose to give to the Governor a dual position; they would make him head of the Government, in which capacity he would retain all his existing powers except those of certification, but they would also make him his own minister for law and order and in respect of that subject would give him powers of certification. To represent him in the legislature they would appoint an official-parliamentary secretary. These schemes are chiefly of interest as evidence of the widespread desire to get rid of dyarchy. They propose to substitute a system of reasonable government but recognize that such a system must be accompanied by adequate safeguards. It is here that in our opinion the weakness of the schemes becomes manifest. The Associated Chambers are unable to suggest what the safeguards should be. The Upper India Chamber

Fourth and fifth schemes responsible government with safeguards.

make proposals which would virtually amount to a reversion to dyarchy and in addition would place the Governor in a dual position so difficult as to be in our opinion impossible. Though we recognize that some of the main features of these schemes are attractive, we have not found in either scheme much to assist us in finding a really workable solution of the very difficult problem with which we are faced.

Sixth scheme a more complete form of responsible government

23. We now turn to the consideration of a sixth scheme which we have examined in considerable detail and with the greatest care. Under this scheme the executive would consist of the Governor, a cabinet of jointly responsible ministers and an official member. The cabinet would be fully responsible to the legislature, that is to say, would retain office only so long as it retained the confidence of that house. The Governor in selecting the cabinet would be bound by his Instrument of Instructions to give representation to the main communities of the province. The official *bloc* would disappear, but there would be some system of securing the representation of minority interests, either by the retention of communal electorates or by the reservation of seats. There would be no division of subjects into reserved and transferred. All provincial subjects would be administered by the cabinet and would be subject to the vote of the legislature.

The sixth scheme continued the need for safeguards.

24. Except for the communal constitution of the cabinet and the inclusion of an official member therein this scheme has so far the essential features of a system of full responsibility. But to render such a scheme workable in existing conditions somewhat elaborate safeguards have to be provided, and, since there is no obvious way of including them in the internal machinery of the government, it is necessary to fall back on external checks placed in the hands of the Governor. These safeguards would be in addition to the control which the Secretary of State in Council and the Government of India would require to retain. Some control over State or provincial Governments is necessary in any constitution of a federal nature and all such control could not possibly be abolished in India.

The same control from above.

25. Under the existing constitution the exercise of the powers of superintendence, direction and control vested by statute in the Secretary of State in Council and the Government of India has, so far as transferred subjects are concerned, been limited by statutory rules to the following purposes :—

- (1) to safeguard the administration of central subjects,
- (2) to decide questions arising between two provinces,

- (3) to safeguard imperial interests,
- (4) to determine intra-imperial questions,
- (5) (a) to deal with questions relating to the High Commissioner for India,
 - (b) to control borrowing by local Governments,
 - (c) to control the civil services in India, and
 - (d) to secure the exercise and performance of powers and duties under statutory rules.

Of these purposes nos. (1) to (5) (b) result from the nature of the constitution and the powers of control connected with them are such as are inherent in the position of a subordinate member of a federal constitution. They would be retained and, as all subjects would be transferred, would extend to all subjects. Control in matters affecting the all-India services must be retained so long as any such services are retained, and it is an essential part of this scheme to retain the Indian Civil and Indian Police services on all-India basis.

26. In addition to control by these external authorities there is the control exercised by the Governor. At present the Governor may require action to be taken otherwise than in accordance with the advice of the ministers if he sees sufficient cause to dissent from their opinion—Section 52 (3) of the Government of India Act. Further, his Instrument of Instructions lays upon him certain special responsibilities the discharge of which may require him to dissent from his ministers. The Governor appears therefore actually to have wider powers of control than the authority from which he derives his powers. He must clearly retain certain powers of intervention. But under the scheme we are considering these would be clearly and closely defined in the Act and it would be made clear that the Governor exercises them as the agent of Parliament and in the exercise of them is subject to the superintendence, direction and control of the Secretary of State in Council and the Government of India. The matters in regard to which the Governor would be empowered to intervene would be—

The same powers of the Governor.

- (1) maintenance of the safety and tranquillity of the province and prevention of religious or racial conflict;
- (2) the advancement and welfare of backward classes;
- (3) impartial treatment and protection of the diverse interests of or arising from race, religion, social condition, wealth or any other circumstance;

- (4) protection of the public services;
- (5) prevention of monopolise or special privileges against the common interest and of unfair discrimination in matters affecting commercial or industrial interests;
- (6) maintenance of financial stability and adherence to canons of financial propriety.

Nos. (1) to (5) of these matters are at present included in article VII of the Governor's Instrument of Instructions.

In the legislative sphere.

27. In the sphere of legislation this scheme would give the Governor the power to certify legislation similar to that at present vested in him under section 72-E of the Government of India Act but extending to all subjects, provided the legislation was "essential for the safety, tranquillity, or financial stability of the province." The Governor would also retain his existing power of giving or refusing assent to provincial acts. The Governor-General would also have to retain some power of control over provincial legislation on the lines of the power conferred by section 80-A of the Government of India Act, but such control would be limited as narrowly as possible.

Financial safeguards under this scheme.

28. In the financial sphere the control of the Secretary of State in Council over expenditure would be limited for all subjects to that which he at present has over expenditure on transferred subjects as defined in schedule III of the Devolution rules. The Government of India would also retain some control over provincial borrowing and taxation. The principle of votable and non-votable expenditure would be embodied in the statute to the extent of creating certain permanent charges on the lines of the consolidated fund in England. These would include the contribution to the Central Government, interest and sinking fund charges, expenditure prescribed by or under any law, and the salaries, pensions and allowances of certain persons, including salaries, etc., of persons holding posts borne on the cadre of the all-India services at the time of the introduction of the Act. The Act would contain specific provision requiring the disbursement of charges on the consolidated fund and would give the Governor power to certify expenditure necessary for the safety or tranquillity of the province or for the carrying on of any department.

The same provision for action in a deadlock.

29. In addition to these powers vested in the Governor to enable him to assist his Government in carrying on he would be given power in the last resort to take over the whole administration as now provided in the Transferred Subjects-Temporary Administration Rules. This final power would

be necessary to prevent a complete breakdown, if the Governor failed to overcome a deadlock by the ordinary constitutional process of dissolution and the appointment of a new ministry.

30. The attractions of this scheme are obvious. It seems to get rid of dyarchy and to introduce a large measure of real responsibility over practically the whole field of administration. It constitutes a great advance towards a system of complete responsible government. It would not satisfy extreme opinion, but would, we believe, receive a large measure of support from politicians of the moderate school of thought and would bring about a change in the general attitude towards Government. If such a scheme could be introduced there would be some hope that the Government would be regarded as a Government of the people and that the present attitude of constant opposition to the Government *quâ* Government would undergo a change. We are fully alive to all these considerations, but on the other hand we cannot conceal from ourselves the difficulties of the scheme. It contains certain anomalies, such as the inclusion of an official member in the cabinet and the retention of the Indian Civil and Indian Police services on an all-India basis. These are logical defects, but though we would not underrate their importance, our difficulty in advocating the scheme is based on much more fundamental objections. The scheme would in present circumstances involve great risks without the elaborate safeguards provided. It is essential that these safeguards should be placed in the hands of the Governor and of no more distant authority. But this will make the position of the Governor one of very heavy responsibility and very great difficulty. Questions will arise, and probably with considerable frequency, in regard to which the Governor will differ either from his ministers as a body or from one or other section of them. Take the case where he differs from all his ministers and the ministers have the legislature behind them. The Governor is satisfied that his interference is not only justified but even necessary to secure fair treatment to some particular interest. The ministers refuse to give way. The Governor will then have to consider whether the case is of sufficient importance to justify dissolution. A weak Governor will give way at this point. A stronger man, anxious to see justice done, may hold out and decide to dismiss the ministers and dissolve the legislature. An election takes place and a new legislature is returned. The election issue has been the will of the Governor *versus* the will of the people. The result will almost certainly be victory for the latter and the only condition on which

The sixth
scheme
considered

any ministers will take office will be that the Governor gives way. He is then forced to decide whether the issue is of sufficient importance to be made the cause of a deadlock which can only end in his taking over the whole administration, and it is obvious that only an absolutely vital issue could be made such a cause. Thus, with the ministers and the legislature against him, the Governor will be in a position of great weakness and will be able to intervene effectively only on vital issues. On all minor issues he will be forced to give way. It may be argued that such occasions are not likely to be frequent especially with a cabinet constructed on communal lines. But it is not difficult to foresee that cases will arise in which a cabinet, though it might think alike on communal questions, would still be united on a question in regard to which the Governor in the discharge of his duty to Parliament might feel compelled to maintain a view opposed to that of his ministers. If on the other hand the communal nature of the cabinet is to give rise to internal divisions, then difficulties of another kind will arise. In this province the most that the minority community could hope for would be one-third of the seats in the cabinet and one-third in the legislature. The majority community would hold a dominant position. Suppose a majority of the legislature demanded the prohibition of all cow-slaughter or that executive officers should be instructed to permit the playing of music before mosques at all times. Even if the Hindu element in the cabinet were entirely opposed to the action of the legislature and were supported by the Governor, their position could easily be made impossible by a determined legislature. On the other hand, if they supported the legislature the position of their Muhammadan colleague would become impossible and the position of the Governor one of great difficulty. If both sides were determined a deadlock would be inevitable.

Possibility of finding the necessary safeguards for this scheme by instituting a second chamber.

31. The fundamental difficulty which we feel in regard to this scheme seems to us to be inherent in any unitary scheme which approaches at all closely to responsible government. The problem is to find a system which will at once give real responsibility over the whole field of administration and will at the same time contain within itself such constitutional checks as will prevent a ministry either from inexperience or other causes endangering the safety, tranquillity or financial stability of the province. We have considered whether such constitutional checks could not be found by the institution of a second chamber, while retaining the other features of the scheme. The introduction of such a chamber with a strong conservative element will in ordinary circum-

stances be valuable in the sphere of legislation. But however valuable an upper house may be in the legislative sphere, it cannot by itself operate effectively as a steadying influence in administration or in influence. In these spheres all that it might be able to do would be to give the Governor some moral support on any occasion when he found it necessary to take action against advice in regard to which his ministers had the support of the lower house. Even on such occasions the moral support might not be forthcoming, and in that event the existence of the upper house would only render the position of the Government more difficult. On the other hand, it is an undeniable fact that the great majority of modern constitutions have bi-cameral legislatures and that there is a strong feeling among the more conservative of those who have a large stake in the affairs of this province that the establishment of a second chamber would make for stability and would give some sense of security to those who feel that the introduction of responsibility will place power in the hands of the more extreme politicians. It is also a fact that there are in this province classes from whom such a chamber could suitably be constituted. Thus, though we are far from satisfied that the upper house would overcome the difficulty inherent in such a system as we have been considering, we feel that the scheme would be better with an upper house than without one, though ordinarily it would be the Governor and not the upper house who alone could apply the needed safeguards and even he could only intervene effectively in matters that were absolutely vital.

32. Unable to persuade ourselves that such a scheme can be considered practicable in the present conditions of the province, especially in regard to communal differences, we have been forced back to the conclusion of 1918 that the only solution of the problem lies in division of the field of government and that advance must be sought, as indeed was contemplated by the authors of the 1918 Report, in a development of the present system. Such advance can be obtained by widening the field of responsibility and by making the responsibility within that field more real. The field can be extended by the transfer of further subjects, and the responsibility can be made more real by the more careful definition of the Governor's powers of intervention, by changes in the position occupied by the Finance department and by the removal of the official *bloc*. We would further, in view of the considerations advanced in the previous paragraph, institute a second chamber. We may at this place mention that the second chamber should in our opinion

The solution which commends itself to us. Dyarchy retained.

be roughly half the size of the lower house and consist of about sixty members of whom thirty-five might be elected and twenty-five nominated. The franchise would be much the same as that of the Council of State at present and we should desire to see arrangements made for the inclusion of ex-ministers, ex-members of the executive council and possibly of ex-officials of a certain status.

Subjects reserved.

33. Police and the administration of justice are security subjects which will naturally be the last to be transferred. We would retain both as reserved. We would also keep land revenue as a reserved subject. In this province there is no branch of the administration which affects law and order more closely than that of land revenue, nor is there any which is so vital to the financial stability of the province. In fact land revenue is virtually a security subject. In regard to jails we are not altogether in agreement. The close connexion between police and the administration of justice on the one hand and jails on the other suggests that all three subjects should be treated alike. The maintenance of an adequate standard of administration and discipline in jails undoubtedly has its influence on law and order. On the other hand it is desirable to retain as few reserved subjects as possible and the Home Member would on this ground be prepared to transfer jails, while the Finance Member considers that they should be reserved. There are some minor subjects, for example, criminal tribes, which owing to their close connexion with one or other of the main subjects suggested for reservation should also be reserved, but these will be few and need not be detailed.

Definition of the Governor's power.

34. The Governor's power to overrule his ministers is at present regulated by sub-section (3) of section 52 of the Government of India Act. He may require action to be taken otherwise than in accordance with their advice, if he sees sufficient cause to dissent from their opinion. This gives the Governor a very wide power. If the party system and the political sense of the people were more fully developed, there would be natural constitutional restrictions on the exercise of this power, as it is clear that ministers supported by a majority of the legislature would be in a strong position and any undue interference with their decisions might involve the Governor in serious constitutional difficulties. Owing, however, to the numerous lines of division in the legislature, the position of ministers *vis à vis* the Governor has ordinarily not been as strong as the existing constitution permits it to be. Development of a party system and more political sense will

afford a natural remedy for this state of matters. But there is room also for another measure designed to place the minister in a position of greater responsibility. The occasions on which the Governor is empowered to overrule them should be clearly defined and there would be some advantage in requiring that before a Governor requires action to be taken other than in accordance with the advice of any one minister, the case should be considered by all the ministers. If a majority of the ministers are agreed, then the Governor should only be empowered to require action to be taken contrary to their advice for one of the purposes already defined in paragraph 26 above. We consider that the power to which reference is made in paragraph 26 (3) above should be held to include a power to secure adequate representation of the various communities in the administrative services. On the reserved side the Governor would retain all his existing powers, including those of certification.

35. The establishment of a system of joint responsibility would be a forward step which would strengthen the position of ministers. The difficulties that stand in the way of this advance have been referred to in paragraph 28 (page 31) of the first volume of this report. In view of these difficulties, it is doubtful whether it would be wise to introduce any definite constitutional provision requiring that the ministers must act together as a cabinet. But any steps that can be taken in this direction should be taken. For example, the Governor might be required to select a chief minister first and to select the remaining ministers in consultation with that minister. Again he might be instructed to require that certain cases should be considered by all the ministers. It may not be possible to obtain ministers who will bind themselves as a body *without reservation* to act together, and will individually agree that in the event of disagreement with the rest of the ministry on a vital point they will resign; but it might be possible to get some measure of joint responsibility. The Governor should therefore be instructed to try to secure ministers who will agree to act together, if not unreservedly, at least with as few reservations as possible.

36. The present constitution of the legislature is such that the ministers are sometimes able with the aid of the official *bloc* to command a majority without having the support of a majority of the non-official members. This use of the official vote is clearly a limitation on the responsibility of the ministers to the electorate. The withdrawal of the official vote will constrain ministers to stand more on their own feet and will

Official bloc transferred to second chamber.

form a clear step in advance. But such a withdrawal will react on the reserved side of the Government. We do not consider that it would be possible to carry on the administration of reserved subjects with an entirely non-official legislature. If therefore the official *bloc* is to be got rid of in the case of the transferred subjects, a method must be found of securing to Government on the reserved side some better provision for carrying through its demands on the reserved side than it could hope to find in a legislature from which the official *bloc* has been removed. It would be possible to retain a single chamber and to permit officials to vote only on business relating to reserved subjects. But there are obvious disadvantages in having a legislature constituted differently for different purposes. The position of the officials would be anomalous and the question would undoubtedly often arise as to whether the business before the house did or did not refer to a reserved subject. We are therefore not in favour of this arrangement. The alternative is a bi-cameral legislature, the upper house of which would contain officials as at present and a considerable nominated element, while the lower house would be almost entirely non-official. The lower house would have all the functions of the present legislature but its powers in the matter of legislation would be shared with the upper house. The upper house would have the right of interrogation and of moving resolutions. In regard to all legislation it would have the same powers as the lower house. We are not satisfied that the reserved side of the Government could properly discharge its obligations if it had to rely for financial provision for its operations on the vote of the lower house, as it is now proposed to be constituted, subject only to the Governor's power of certification. We would therefore suggest that while these demands should as at present be presented to the lower house, the Governor in Council should have the right to take to the upper house any demand refused by the lower, and the upper house should have power to restore that demand. An alternative arrangement would be to give to the upper house the sole right to vote demands for the reserved subjects. The objection to that is that it would give the lower house much less control over the reserved subjects than the present legislature has, and though we hold that the existing constitution has resulted in giving the legislature a larger measure of control than was originally contemplated over subjects for the administration of which the agents of Parliament are responsible, we would hesitate to propose an arrangement which would err in the other direction. Our own proposal would give the lower house the same powers as at present but would give the upper house an

opportunity of amending decisions which the Governor in Council found himself unable to accept. In the last resort the Governor should have the power of certification. In regard to Bills relating to reserved subjects the Governor should be given the same powers as the Governor-General at present has under section 67-B of the Government of India Act and these powers should be exercisable if the Governor certifies the Bill to be essential to the safety, tranquillity or financial stability of the province. The effect of this provision would be that where either chamber refused leave to introduce a bill or failed to pass it in a form recommended by the Governor after certification, the Bill, if already passed by the other chamber, would on signature by the Governor become an Act of the provincial legislature, and, if not already passed by the other chamber, would be laid before it, and if passed by it in the form recommended by the Governor would become an Act of the whole legislature, or if not passed by it would on signature by the Governor become such an Act. Acts so passed would be reserved in the manner at present prescribed by sub-section (2) of section 72-E of the Act before coming into effect.

THE FINANCE DEPARTMENT.

37. This brings us to consider the position of the Finance department and the existing system of allocating resources to the two sides of the Government. The present position of the Finance department undoubtedly offers difficulties. Finance is not one of the provincial subjects included in schedule II of the Devolution rules. It cannot therefore be said to be technically a reserved subject, though some subjects included in the comprehensive term finance are definitely reserved, for example, borrowing. But Devolution rule 36 prescribes that the Finance department shall be controlled by a member of the executive council. This rule has been the subject of much criticism. Even though there is no substance in the charge that the Finance department has favoured reserved at the expense of transferred departments, we fully realize that the present position, under which the department is controlled by a member responsible for the administration of certain reserved subjects, is not an ideal one and we would like to see the department so placed as to occupy a more detached position *vis à vis* the reserved side of the Government. The essential functions of the department are advisory and we see no reason why it should not be placed under a financial adviser who will be neither a member of the Government nor subordinate either to a member of the executive council or to a minister,

Changes
proposed.

but will occupy a semi-independent position under the Governor. This proposal is elaborated in a note by the finance secretary which forms an appendix to this memorandum. Since it is hardly possible to provide for the pay of the financial adviser and his establishment under the statute, the demand for expenditure on his branch will have to be presented to the legislature either as a reserved or as a transferred item, and it would seem advisable therefore to treat him as serving on the reserved side. But in spite of this the change now proposed in the position of the Finance department possesses obvious advantages.

THE SERVICES.

The
services.

38. The need for the retention of European officers in the security services, namely, the Indian Civil and Indian Police services is widely recognized. Under this scheme these two services would be retained on an all-India basis under the control of the Secretary of State in Council without giving rise to anomalies and difficulties such as would arise from their retention under a unitary scheme such as that described in paragraph 23 above. The result of the transfer of the Irrigation and Forest departments, on the other hand, would be to close all further recruitment to the Indian Service of Engineers and the Indian Forest Service and to necessitate the establishment of provincial services to undertake the work at present done by these all-India services. The officers remaining in the Indian Service of Engineers and Indian Forest Service would be safeguarded in the enjoyment of their existing rights and privileges in the same manner as officers of the Indian Education and other all-India services serving transferred departments at present. The protection of the services would, as now, be a special charge imposed on the Governor by his Instrument of Instructions. Salaries and pensions payable to, or to the dependents of, persons appointed by or with the approval of His Majesty or by the Secretary of State in Council would be rendered non-votable by statute. At present members of the all-India services recruited before January 1, 1920, have the right to retire on proportionate pension at any time, up till the action to be taken on the report of the Statutory Commission is known. Those recruited after January 1, 1920, have the right to retire only if the field of service for which they were recruited is transferred and provided they exercise the right within one year of such transfer. We are of opinion that members of the all-India services recruited before January 1, 1920, should retain the right of premature retirement for a further period as the only means of preventing the serious depletion of the services. In the case of officers

recruited after that date we would maintain the present rules with some extension of the period within which the right must be exercised.

39. The need for a public services commission has been felt in the matter of selection of candidates for appointment in the transferred departments: The difficulties experienced in this matter have been referred to at pages 11, 67 and 90 of volume II of this report. The present system of *ad hoc* selection committees is not entirely satisfactory. There is need for such a commission also to deal with disciplinary matters. We feel that if the provincial services are to occupy a position and to maintain standards becoming to them and worthy of the province, the establishment of a provincial public services commission will be necessary.

Public
services
commission.

RELATIONS WITH THE GOVERNMENT OF INDIA.

40. The relations of the provincial Government with the Government of India would in regard to reserved subjects continue as at present. The ultimate responsibility of the Secretary of State in Council and Parliament would remain unchanged. It follows that the Government of India must retain its existing powers of superintendence, direction and control, though we believe that there is scope for the relaxation of some rules which unduly limit the powers of the provincial Government, for example, rules relating to grants of land and the alienation of land revenue which date from a time when the receipts from land revenue were shared by the Government of India. In regard to transferred subjects the powers of the Secretary of State, the Secretary of State in Council, and the Government of India are limited by statutory rules to the purposes already described in paragraph 25. No relaxation of these rules is desirable and we would even suggest that the addition of a further purpose should be considered, namely, to prevent a provincial Government from taking any action that would seriously embarrass the Government of a neighbouring province.

Admini-
strative.

41. In the sphere of legislation we would welcome any amendment of section 80-A of the Government of India Act which would free the provincial Government from constant references for the sanction of the Governor-General.

Legislative.

42. The effect of the Meston Settlement on the finances of this province has been explained in paragraphs 55 to 58 and 85 of volume I of this report. The Committee on Financial Relations anticipated that the province would, after paying the contribution of two hundred and forty lakhs, start with an

Financial
the Meston
Settlement.

increased spending power of one hundred and fifty-seven lakhs. We have given figures which show that the sum actually available was eleven instead of one hundred and fifty-seven lakhs. In addition there was at the close of the year 1920-21 a balance of eighty-nine lakhs. The province thus started the Reforms period with resources which, while sufficient to enable it to maintain a position of equilibrium, even after making provision for increases in pay of which the Settlement took no account, were insufficient to meet such recurrent calamities as reduction of revenue and increase of expenditure, and allowed floods or the failure of the monsoon, with their consequential inadequate provision for the necessarily increasing demand for expenditure on transferred subjects. The province had in fact cause to complain that the contribution was pitched at too high a figure. But the final remission of the contribution has altered the position, and we see no advantage in attempting a radical revision of the Settlement. The chief advocates of such a revision are to be found in those provinces which collect large sums on account of customs duty and contribute the major portion of the income-tax. A revision which would give such provinces a larger share of these sources of revenue would, unless central revenues could be expanded in other directions, involve a loss to the central Government, which would have to be made good either by direct contributions from the other provinces or by transferring to central revenues part of the revenues now raised in these other provinces by purely provincial taxation. In either case the interests of this province would suffer. On administrative grounds too we would oppose any return to the old system of divided heads of revenue, which would in itself involve some measure of control by the central Government over the branches of administration concerned with the raising of these revenues, and the difficulty of divided control would be enhanced by the fact that the local Government and its legislature would be dependent on control exercised by through the central legislature.

**Our
Financial
proposals.**

43. A review of our financial position has, however, satisfied us that it is defective both by reason of lack of flexibility in our existing resources and in the small scope which existing arrangements afford for the general increase of our revenues. The former defect might in our opinion be removed by the transfer to the central Government of the revenue from general stamps and in exchange the transfer to the local Government of the tax on personal incomes, if such an exchange could be effected without any further disturbance of the existing distribution of revenues between central and provincial. We

shall, however, be prepared to discuss this question further and in greater detail in the course of the special inquiry which we understand the Commission intends to institute in order to deal with financial relations. As regards the general improvement of our resources, we have examined a number of proposals including those suggested in the Report of the Taxation Inquiry Committee. Some of these proposals, such as that of an excise duty on matches, patent medicines and tobacco, present considerable difficulties and appear to be of doubtful financial advantage. The suggestion that a tax be imposed on agricultural incomes has little practical interest at the moment for it would involve a radical revision of our land revenue system. On the whole therefore we see little hope of exploiting to any great advantage the new sources of taxation suggested, nor do we see any immediate prospect of removing the opposition which the legislative council would be likely to offer. We anticipate some general improvement of our finances by automatic redirection in interest charges and we have preferred to the Government of India a claim which we consider to be based on equitable grounds, to be relieved of the interest now paid on pre-reform unproductive irrigation debt, a matter which we should be glad to refer to the consideration of the agency charged with investigating financial relations. We further consider that it would be an advantage if we were permitted to take over the management of our advances and to retain the interest on our deposits. We are satisfied with the present position as to borrowing and we do not consider that any advantage is to be derived from the separation of the provincial balances which would impose on the local Government the management of its own ways and means. As regards the provincialization of accounts, we submit as an appendix to these proposals a full account, prepared by the finance secretary, of the system of separation of accounts from audit which has been introduced in this province. We shall be prepared to give our views both in regard to the separation of balances and the provincialization of accounts in detail in the course of the inquiry into financial matters.

44. Such is the scheme which in the difficult circumstances of the present time appears to us to offer the best line of advance. We are fully alive to its imperfections but we hold that it is a natural development of the present constitution and forms a distinct stage on the road to a more complete system of responsible government. It involves no sharp break with the past, no sudden plunge into the unknown. It provides a system which is likely to work with less friction than the present one and at the same time gives to ministers a higher

Conclusion.

degree of authority over a wider field. It involves no undue risks. The reserved side is left strong enough to maintain law and order and the Governor will be retained in a position to protect the vital interests of minority communities for a further period during which it is to be hoped that the people of the province will develop a larger measure of political sense and become more fit for a system of complete responsibility. We do not desire to suggest that we would necessarily prefer this scheme to any other. But we are prepared to advocate it in preference to any other that has so far come to our notice or that we ourselves have been able to devise. We should add that our proposals are based on the assumption that the constitution of the central Government will not be radically altered.

**Note by the Hon'ble Nawab Sir Ahmad Sa'id Khan,
K.C.I.E., M.B.E., Home Member.**

I HAVE always been of opinion, and am still of opinion, that in these provinces we have given sufficient proof of the fact that my countrymen can be trusted with responsibility to run the machinery of government. In 1924 I made it clear in my note for the Muddiman Committee that full provincial autonomy, under certain safeguards, could be given to these provinces. Since then there has been, I am sorry to say, marked deterioration in communal feelings in these provinces, and I feel that unless and until the two great communities can come to an agreement on the main question which divides them it is not safe to advance politically as far as one would wish to. Therefore, it is for this reason, that I have agreed with great reluctance that the cumbrous and awkward system of dyarchy should be allowed to continue for some time more. Personally I do not regard the present acute differences between the two communities as a permanent feature. I admit that there were suspicions and distrust even before the Reforms, which led to the demand for separate representation by one community. But feelings of hostility were never so acute as they are now. I hope that time and experience will show the futility of such an attitude. Moreover, it is quite possible that the very fact that some departments have perforce been kept reserved for this very reason may have a wholesome effect on the leaders of both the communities. They may realize what a great obstacle—communal tension—is in the way of the political progress of the country and this may bring about such a change in feeling between the communities that the reasons which now hold good for reserving certain departments would no longer be valid. To provide for such altered circumstances, I am of opinion that statutory provision should be made to enable the Government of India to review after five years the question of transferring the remaining departments to the control of the Legislative Council. If they then find that the communal situation has so improved as to make the transfer of all subjects practicable, they should have the power of giving effect to their wishes.

November 21, 1928.

AHMAD SA'ID.

APPENDIX I.

**Note on the Constitution of the Finance Department by
E. A. H. Blunt, C.I.E., O.B.E., I.C.S., Finance
Secretary.**

THE weaknesses of the finance department as at present constituted have been described in the Report on the working of the system of Government, United Provinces, 1921—28, paras. 43 to 47. It is unnecessary to repeat what was there said. The three principal objections to the present constitution may be briefly re-stated thus. These are :—

- (1) The finance department, although it has to serve both the reserved and transferred sides of Government, is itself a reserved subject. This gives occasion for the charge that the finance department is not impartial in its dealings with the two sides.
- (2) The finance member is in charge not only of finance, but also of important spending departments; which makes him liable to the charge that he favours his own spending departments at the expense of all others: and that he cannot deal satisfactorily with the same case from both the administrative and financial points of view.
- (3) The finance department, though having in theory only advisory powers, is treated by the administrative departments as if it had powers of final decision.

2. It is now proposed to make an important change in the position of finance department so as to render it more independent. It will be under the control of a financial adviser, who will be neither a member of council nor a minister. He will be responsible to the Governor alone. The department will possess, as before, merely advisory powers. Manifestly a department so constituted will be free of the main defects of the present department. It will not be open in the same way to suspicion of partiality or prejudice in its dealings with either side of Government. The head of the department, being in charge solely of finance, will have no temptation to favour any department at the expense of another, nor will

he have to deal with any case save from the financial point of view. Finally, the fact that the financial adviser himself is not a member of Government, will emphasize the advisory nature of his own functions and those of his department. He will, in fact, from the administrative point of view, be a Gallio, caring for nothing but the financial aspect of any particular case. On the other hand, there is some cause for apprehension that the influence of a department so constituted will be appreciably reduced: that the opinion of a financial adviser who is not himself a member of the Government will carry less weight with the Government and the legislative council than that of his predecessor.

3. With the object of presenting a clear picture of the proposed finance department, rules have been drafted corresponding to the Devolution rules 36 to 45, which lay down the functions and duties of the present department. These new rules will be found in an appendix, together with notes to explain the differences between them and the old rules; here, only those particular rules are examined which affect the constitution of the proposed finance department.

4. Rule I, corresponds to present Devolution rule 36, and lays down as follows:—

- (1) that the finance department will be controlled "by an officer called the financial adviser, with a finance secretary, who shall be a secretary to Government;"
- (2) that the financial adviser shall be appointed by and responsible to the Governor;
- (3) that the financial adviser shall be neither a member of the executive council nor a minister: but that he will attend all meetings of the executive council, of the ministry, or of both sides of Government sitting together, at which financial matters are to be discussed, and have the right to express his opinion on such matters, though not to share in their decision;
- (4) that the financial adviser will advise any member of council or minister, who needs his assistance, in any matter relating to finance.

The following comments may be offered in explanation of this rule:—

Clause (1).—(a) An "adviser" must necessarily be an expert in his subject, or his advice will be worthless. But, at

present, there is no non-official who possesses any expert knowledge of finance; there are one or two theorists, but of practical experience they have none. A non-official adviser would simply be the mouthpiece of his finance secretary.

(b) Under the old rule the finance secretary was "subordinate to the finance member." The new rule makes him a secretary to *Government*. This merely reproduces the present practice, which has never been in consonance with the rule.

Clause (2).—Clause (2) lays down that the financial adviser shall in all financial matters be responsible to the Governor. It is important to describe clearly the nature of the relations between them. It is not contemplated that these relations should resemble those existing between the Governor-General and a secretary to the Government of India in respect of foreign affairs, i.e. that the Governor should hold the portfolio of finance, and that the financial adviser should be merely a super-secretary to represent him in council. Such an arrangement was actually considered in this province as far back as 1920, as a possible remedy of the salient defects (even then apparent) of the present finance department, namely, the facts that finance was reserved, and that the finance member was also in charge of spending departments. But the idea was quickly abandoned, as putting the Governor in an impossible position; for he would then have become a party to all financial disputes, not only between the two sides of Government, but between the finance and any other department. Under the proposed arrangement, his principal concrete duty will be that of an *arbitrator* in such disputes (see rule VII): whilst the financial adviser will of course refer to him in all important cases, and be, generally, responsible to him for the management of this department. There can be no technical objection to the situation thus created; for the finance department, though itself neither reserved nor transferred, yet serves both sides of Government: and the Governor belongs to both sides of Government.

Clause (3).—Clause (3) provides the only possible method in which an adviser can effectively give advice to Government as such.

Clause (4).—The existing Devolution rule lays down that if ministers so desire, the Governor shall appoint a financial adviser to assist and advise the ministers in all financial matters. *Ex hypothesi*, the financial adviser will have to

advise both sides of Government, or any individual member of council or minister who seeks his help: and clause (4) merely makes this clear. A separate financial adviser for the ministers thus becomes unnecessary.

In practice it may prove convenient to sub-divide the department into two branches, one dealing with reserved and one with transferred subjects respectively, and to put each under a separate officer. In that case members and ministers would naturally apply for assistance, in the first place, to the officer in charge of the reserved and transferred branch respectively.

6. Rules II and III may be considered together. Rule II describes the constructive functions of the finance department in such matters as the preparation of the budget and the maintenance and use of accounts: rule III describes its advisory functions. Rule II deals with the relations of the finance department to the Government as such: rule III deals with its relations to an administrative department. At present the various cases in which the finance department has only advisory powers are scattered over the ten Devolution rules relating to that department, whilst the nature of that power is described in various ways. Sometimes the finance department must "examine and report," sometimes it must "examine and advise," sometimes the administrative department must "consult," sometimes it must "refer." By bringing all the cases into one rule, and by using the same term "examine and advise" in respect of all cases, the advisory nature of the finance department's duties to other departments is emphasized.

7. *Rule V.*—In para. 75 of the Government of India's despatch of March 5, 1919 (reproduced in appendix I of the Report of the working of the system of Government, United Provinces, 1921—28), there is a list of the principal duties of the finance department. The sixth of these lays down that the finance department "must be in intimate relation with audit." Yet the devolution rules say very little about the matter; though in practice both under the old system of accounts and the new, the relations between finance and audit in this province have been, from the very first, as intimate as the authors of that despatch could possibly have desired. Rule V lays stress on this aspect of the case, by listing all the cases in which the finance department actually does come in contact with audit, or may invoke its advice and assistance. The rule has its special importance: for since there is a possibility that the financial adviser's influence will be less than

that of the present finance member, it is desirable to emphasize the fact that finance has in audit a powerful ally.

8. *Rule VI.*—The latter part of Devolution rule 37 (g) (iii) reads as follows “it (i.e. the finance department) shall examine and advise on all schemes of new expenditure for which it is proposed to make provision in the estimates, and shall decline to provide in the estimates for any scheme which has not been so examined.” The Government of India (despatch of March 5, 1919, para. 75) wrote as follows:—“An invariable rule should be established that no new entry may be made in the budget until it has been scrutinized in the finance department, which should certify that it has been examined by it.” This statement makes it plain that such a refusal was meant to be final and decisive; but there have been occasions in the past when it has not been so regarded. The object of making this provision a separate rule, and strengthening its wording, is to make it clear that this rule is imperative—as it was always intended to be.

9. *Rule VII* corresponds to Devolution rule 44, the object of which is to ensure that, when necessary, the opinion expressed by the finance department receives full consideration from the local government. In practice, of course, the only occasion on which the finance department need take action under this rule is when its opinion has been disregarded by the administrative department to whom it was offered. The new rule is so worded as to make this quite clear.

10. Such cases, however, are of two kinds, one of which is less important than the other:—

- (1) An administrative department may have suggested expenditure, to which the finance department has objected on some such ground as wastefulness or extravagance. There will often be no need to appeal to higher authority at all. For instance, a minister may have insisted on a larger sum being provided in the budget of an administrative department than, in the opinion of the finance department, it can possibly spend; which is undesirable, because it locks up money of which another department might make profitable use. If, however, the sum were small, or sufficient money were available for all departments, then the finance department need not press its objection. In due course the appropriation accounts will prove the financial view right, and the administrative department

will have to answer for the extravagance of its demand. It is sufficient, therefore, that in cases of this kind the financial adviser's power to refer to higher authority should be permissive; whilst even in the most important of such cases it will rarely be necessary to go beyond the local government, which indeed, is directly interested in wasteful or extravagant expenditure.

- (2) The second type of case involves some definite financial irregularity. Here it will be impossible for the finance department to give way, until it has exhausted all available remedies. For that reason the rule is made imperative, and the financial adviser *must* lay the case before the Governor. It then rests with the Governor to decide what he shall do. He may, if he pleases, consult audit—the power is permissive, because the case may be so clear that a reference to audit is unnecessary. Thereafter, however, it is laid down that he must put the case before the local government for orders: whilst he also has a permissive power to refer the case to the public accounts committee. This rule, therefore, ensures that such a case will be considered by at least one higher authority, and may be considered by as many as three.

11. It is clear that a finance department, constituted in this way and possessing these powers, will be free of the defects that exist in the present department. Nor is there any real danger that the new style of finance department will have less influence than its predecessor. For behind the financial adviser stands on the one hand, the Governor, and on the other hand, audit. Behind them again stand first the Government as a whole, and a committee which represents the legislature. An unreasonable member or minister, or a recalcitrant department may be prepared to withstand the financial adviser and his department: but they would be bold indeed if they were prepared to withstand the various forces that the financial adviser can array against them. And lastly, neither this, nor any other, constitution can be worked successfully, unless those that work it are "reasonable men, conducting themselves in a reasonable manner" (despatch of March 1919, para. 65). Available experience does not warrant the supposition that members and ministers will prove any less reasonable in the future than in the past.

Rule I.—Constitution of finance department.

(1) In each Governor's province there shall be a finance department, controlled by an officer to be called the financial adviser, with a finance secretary who shall be a secretary to Government.

(2) The financial adviser shall be appointed by the Governor, and shall be responsible to him in all matters relating to the management of the finance department, and to the proper discharge of the functions of that department.

(3) The financial adviser shall be neither a member of the executive council, nor a minister: provided that when either the Governor with his executive council, or the Governor with his ministry, or the Governor with his executive council and his ministry sitting together, are about to consider any matter with which it is the function of the finance department to deal, or any administrative matter involving any important financial issue, the financial adviser shall be invited to attend their meeting, and when present on such an occasion, shall have the right to express his opinion on such matters, though not to share in their decision.

(4) It shall be the duty of the financial adviser to advise the executive council, or the ministry, or any individual member of council or minister, in any matter relating to finance.

Rule II.—Functions of finance department.

(1) In connexion with budgetary arrangements—

(a) It shall obtain from all administrative departments the information necessary for the framing of the annual estimates of revenue and expenditure, or of any supplementary estimates of expenditure that may be required during the course of the year;

(b) it shall prepare the annual estimates of revenue and expenditure and any supplementary estimates of expenditure that are laid before the legislative council;

(c) at such times during the currency of a year as may be prescribed by the local government, it shall

prepare revised estimates of revenue and expenditure;

- (d) it shall prepare when required demands for excess grants;
- (e) it shall be responsible for the correctness of all estimates that it frames on the basis of the information which it receives.

Note.—The terms “revenue” and “expenditure” in this rule shall include capital receipts and disbursements from capital.

(2) In connexion with the maintenance and use of accounts—

- (a) It shall take the steps necessary to ensure that the administrative departments regularly maintain their accounts in suitable forms;
- (b) it shall regularly, throughout the year, watch the progress of receipts and disbursements and the state of the local government’s balances;
- (c) it shall take such action as necessary to ensure that the administrative departments keep their expenditure within their grants, or in the alternative apply in sufficient time for an additional grant;
- (d) it shall keep departments responsible for the collection of revenue informed of the progress of collection;
- (e) it shall be in charge of the following accounts :—
 - (i) the account relating to loans granted by the local government;
 - (ii) the account relating to famine relief fund;
 - (iii) the accounts relating to loans raised or advances taken by the local government : and the sinking fund accounts relative thereto;
 - (iv) the account of any other special fund that the local government may create.

(3) It shall take all steps necessary for the preparation of legislative measures relating to taxation.

(4) It shall take all steps necessary for the purpose of raising such loans that have been duly authorized and shall be in charge of all matters relating to the service of loans.

Rule III.—Advisory functions.

(1) It shall examine and advise on the following matters:—

- (a) all schemes of new expenditure for which it is proposed to make provision in the annual or supplementary estimates;
- (b) the financial aspect of all transactions relating to loans granted by the local government;
- (c) all proposals for the increase or reduction of taxation whether emanating from the Governor in council or the Governor and his ministry or the Governor with his council and his ministry sitting together; and especially the particular tax or taxes which, in the circumstances, may most suitably be enhanced or imposed or reduced as the case may be;
- (d) all proposals for borrowing by the local government;
- (e) the methods of collecting revenue and proposals to alter the same;
- (f) all proposals for expenditure on any of the heads detailed in section 72-D(3) of the Act, in excess of the provision made for that head in the annual estimates;
- (g) all proposals involving the addition to or withdrawal from the public service in the province of any office, or the variation of the emoluments of any posts;
- (h) all proposals to sanction compensatory allowances or special or personal pay for any post or class of posts or any government servant;
- (i) all proposals relating to—
 - (1) grants of land or assignments of land revenue except when the grant is made under the ordinary revenue rules of the province;
 - (2) concessions, grants or leases of mineral or forest rights, or of rights to water power or of right of way, or of other easements or any privilege in respect of such rights;

(j) all proposals involving abandonment of revenue for which credit has or might have been taken in the budget; or expenditure for which no provision has been made in the budget; and which are to be submitted for the consideration of the local government or the legislative council;

(k) the adequacy of any disciplinary action that an administrative department proposes to take in respect of any provincial irregularity.

(2) In respect of all matters mentioned above and of any proposals brought to its notice by any administrative department it shall advise whether the matter under consideration does or does not involve a financial irregularity.

Rule IV.—Reappropriation.

(1) After grants have been voted by the legislative council—

(a) the finance department shall have power to sanction any reappropriation within a grant from one major or subordinate head to another;

(b) the member or minister in charge of a department shall have power to sanction any reappropriation within a grant in two items included in a subordinate head which does not involve undertaking a recurring liability, provided that a copy of any order sanctioning any such reappropriation shall be communicated to the finance department as soon as it is passed.

(2) The member or minister in charge of a department shall have power to delegate to the head of that department the power of reappropriation conferred on such member or minister by clause (1) (b) above, provided that he shall inform the finance department of such delegation.

(3) The finance department shall have power to sanction the delegation by a member or minister to any other officers or class of officers of the power of reappropriation conferred on such member or minister by clause (1) (b) above.

(4) A copy of orders sanctioning any reappropriation which does not require the sanction of the finance department shall be communicated to that department as soon as such orders are passed.

Rule V.—Relations of finance department and audit.

(1) In connexion with financial irregularities, the finance department shall discharge the following functions:—

- (a) It shall frame, or cause to be framed, proper financial rules for the guidance of other departments : and shall obtain the advice of the audit officer regarding such rules;
- (b) when an accounts or audit officer has reported that expenditure for which there is not sufficient sanction has been incurred, it shall require the administrative department concerned either to cease the expenditure immediately, or to obtain sufficient sanction for it;
- (c) when an accounts or audit officer has reported that expenditure has been incurred irregularly, or that action has been taken which involves a breach of a financial rule, it shall require the administrative department concerned to make an inquiry into the case, and to inform it of the result of such inquiry;
- (d) it shall lay the appropriation accounts before the committee on public accounts, and shall bring to the notice of the committee such financial irregularities not already referred to in the report, as it may seem fit;
- (e) it shall lay the audit officer's executive report before the administrative department concerned, and require them to take action in the manner prescribed in sub-para. (c) above.

(2) The finance department shall have power, if it thinks necessary—

- (a) when it is proposed to add a permanent or temporary post to the public service, to refer to the decision of the audit officer the question whether the sanction of the Secretary of State in Council or of the Government of India is or is not necessary;
- (b) in all other matters on which it is required to advise under rule III to seek the advice of the audit officer.

Rule VI.—Schemes of new expenditure which have not been examined.

The finance department shall not permit provision to be made in the annual or supplementary estimates for any scheme of new expenditure which it has not examined.

Rule VII.—Cases of disagreement between finance department and other departments.

(1) When the finance department after examining the proposals for expenditure of any kind advises that though not irregular it is for another reason undesirable, and that the department concerned has declined to take its advice, the financial adviser may, if he thinks fit, submit the case to the Governor for the orders of the local government. The Governor may, if he thinks fit, direct that the case be laid before the committee on public accounts for their consideration.

(2) When the finance department after examining a proposal had advised that it involves a breach of the financial rules, and that the department has declined to take its advice, the financial adviser shall require the department to lay the case before the Governor for his consideration. The Governor may, in his discretion, seek the advice of the audit officer, that has not already been done, and thereafter if necessary :

- (i) put the case before the local government for orders,
or
- (ii) direct that it be laid before the committee on public accounts.

Rule VIII.—Presumption of assent of the finance department.

Whenever the finance department is required by these rules to examine and advise upon any matter, that department may, if it thinks fit, prescribe, by general or special order, the case in which its approval may be presumed to have been given.

Explanatory notes.

Rule I corresponds to D. R. 36. The changes are fully discussed in the body of the note.

Rule II corresponds to parts of D. R. 37, but has been rearranged in what appears a more logical order.

Rule II (1) (a) corresponds to D. R. 37 (ii) (part).

Rule II (1) (b) corresponds to D. R. 37 (g) (i) (part).

Rule II (1) (c) is new, [unless it is covered by D. R. 37 (f)]. Revised estimates form an important part of the financial procedure, and the task of preparing them should be definitely laid on the finance department, especially under the new system of accounts.

Rule II (1) (d) corresponds to D. R. 37 (g) (i) (part).

Rule II (1) (e) corresponds to D. R. 37 (g) (part) but extends the responsibility to all estimates whatever.

Rule II (1) *note* is merely explanatory. The annual supplementary estimates now include both revenue and capital, and ordinary and capital disbursements.

Rule II (2) (a) corresponds to D. R. 37 (e) (part).

Rule II (2) (b) corresponds to D. R. 37 (f) (part), but extends the responsibility for watch to the progress of receipts and disbursements.

Rule II (2) (c) is new. It lays down the duty of the finance department to ensure that controlling officers discharge their responsibility—a rule that has been proved by experience to be very necessary.

Rule II (2) (d) corresponds to D. R. 37 (j) (part).

Rule II (2) (e) (i) corresponds to D. R. 37 (a) (part).

Rule II (e) (ii) corresponds to D. R. 37 (b), but changes the nature of the responsibility. It is useless to insist that the finance department should be responsible for the safety of the famine relief fund any more than for the safety of the provincial resources; and it is wrong to insist on its responsibility for the proper employment of that fund, since the decision regarding its employment under the famine relief fund rests with the Governor.

Rule II (2) (e) (iii) corresponds to D. R. 37 (d) (part), but specially refers to sinking funds.

Rule II (2) (e) (iv) is new. Its necessity is obvious.

Rule II (3) is new, but merely corresponds to present practice.

Rule II (4) corresponds to D. R. 37 (d) (part).

Rule III—This rule is discussed in general terms in the body of the note. It corresponds to the following rules:—

Rule III (1) (a) corresponds to D. R. 37 (g) (part).

Rule III (1) (b) corresponds to D. R. 37 (a) (part).

Rule III (1) (c) corresponds in part to D. R. 37 (e), but introduces a new point. Though the member or minister

should be responsible for deciding that there is to be extra taxation, it should obviously be the duty of the finance department to determine what particular form that new taxation should take.

Rule III (1) (d) corresponds to D. R. 37 (d) (part).

Rule III (1) (e) corresponds to D. R. 37 (j) (part) but is extended to cover alterations in the methods of revenue collection.

Rule III (1) (f) corresponds to D. R. 39.

Rule III (1) (g) corresponds to D. R. 40 (part).

Rule III (1) (h) corresponds to D. R. 41.

Rule III (1) (i) corresponds to D. R. 42.

Rule III (1) (j) corresponds to D. R. 43.

Rule III (1) (k) is new. This corresponds to rule V (1) (c) and reproduces present practice.

Rule III (2) is new, and merely brings into prominence the fact that the finance department must always consider the financial regularity of any proposal, whether it objects to it on other grounds or not.

Rule IV corresponds to D. R. 38, with one important change. It is now proposed to allow the member or minister in charge of the department to delegate his own power of reappropriation to the head of that department without referring to the finance department. There was one occasion of complaint on that matter. There is certainly no reason why he should not possess this power. It will only be necessary to obtain the consent of finance department to delegation when the officer concerned is not the head of the department.

Rule V is discussed in the main note.

Rule V (1) (a) corresponds to D. R. 37 (e) (part).

Rule V (1) (b) corresponds to D. R. 37 (h).

Rule V (1) (c) is new. It legislates for cases which are particularly common.

Rule V (1) (d) is an amended version of D. R. 37 (1). The audit and appropriation reports have now become the appropriation account which include the more important irregularities that used to be dealt with in the old audit report.

Rule V (1) (e) is new. The executive report there mentioned corresponds to certain parts of the old audit report.

Rule V (2) (a) corresponds to D. R. 40 (part).

Rule V (2) (b) is new.

Rule VI is discussed in the note. It corresponds to D. R. 37 (g) (iii) (part).

Rule VII corresponds to D. R. 44, but it varies considerably. It is discussed in the note.

Rule VIII corresponds to D. R. 45.

APPENDIX II.

PART A.

Note on the new system of accounts by the E. A. H. Blunt, Esq., C.I.E., O.B.E., I.C.S., Finance Secretary.

[This is the only province in India in which the experimental scheme for the separation of accounts and audit has been worked. The note is accordingly full.]

1. The old and new systems of accounts and the differences between the two have already been explained in the report on the working of the system of Government, United Provinces, paras. 96 to 101. For convenience sake, all but the last of these paragraphs are reproduced here.

2. [96] *The old system of accounts and audit.*—The system of accounts and audit which prevailed in this province till April 1, 1926, may be briefly described as follows :—

- (1) All bills against Government were presented for payment at the local treasuries, and, after much the same scrutiny as a bank cashier would apply to a cheque presented to him, were paid.
- (2) The expenditure incurred on such bills and also all receipts were brought into the treasury accounts, extracts of which were sent monthly to the head accounts office under the accountant-general. The accountant-general and his entire staff were subordinate to the central government.
- (3) Similarly the paid bills were sent in batches twice a month to the accountant-general's office, where they were examined, post-audited and passed into the departmental and provincial accounts.
- (4) The accountant-general was responsible for preparing revised estimates of receipts and expenditure on the basis of the actual accounts and also for examining the budget estimates received from other departments, also on the same basis. He then sent both to the finance department for further examination and final approval.

- (5) The estimates, once passed by the finance department, were returned to the accountant-general, who compiled the provincial detailed estimates for presentation to the council.

3. [97] *Defects of the system.*—The old system of accounts and audit had many defects.

- (1) A creditor of Government who had received his dues from a treasury was always liable to receive a retrenchment order from the accountant-general, as the result of some error discovered in auditing his bill. This put such creditors to great inconvenience, and occasionally to some loss.
- (2) The system of sending bills in batches to a head office where they were checked, classified, and audited before they passed into the accounts caused great delay in the preparation of the latter; in fact, the accounts of a month were seldom ready till at least two months later. This made it almost impossible for the heads of departments to control their expenditure, for it always took them two months to find out how the expenditure against their grants actually stood. A further result was that towards the end of the year they were very chary in spending, and consequently unnecessarily large sums lapsed every year.
- (3) It is a commonplace that audit should be entirely independent of the authority whose accounts are being audited. Under this system the officer who audited the accounts was actually the officer who was responsible for preparing them, so that audit was no more than an internal check.
- (4) Accounting, except for occasional errors, was on the whole fairly accurate. Audit, on the other hand, was certainly unsatisfactory. That was inevitable, since the only evidence of audit was the tick mark with a green pencil affixed by the very clerk who had handled that particular voucher and brought it to account.
- (5) The accountant-general had no knowledge of the working and the needs of any of the departments whose revised and budget estimates he

prepared. As a result, his estimates were purely mechanical, based on figures alone, and bore no relation to facts that contradicted the figures. Theoretically, the finance department was supposed to modify his estimates to accord with the facts. Actually they, too, were mainly guided, and in fact somewhat obsessed, by previous figures.

- (6) Close budgetting was very difficult. The departments, just because close control of expenditure was impossible, had to allow a margin in their demands. And as the finance department had no better knowledge of the progress of expenditure than the controlling officers themselves, they were compelled to put up with this undesirable method.
- (7) Lastly, since the accountant-general was an officer under the central government, the provincial government had absolutely no control over their accounts.

4. [98] *The system changed.*—In 1923 the Government of India made a proposal to separate accounts from audit altogether, maintaining the latter as a central subject, and putting the provincial accounts in charge of the provincial governments. The Government of this province had often found occasion, in the council and elsewhere, to complain of the defects of the old system; and in response to the Government of India's proposals submitted the outline of a scheme of separation to the first annual conference of finance members in 1923. This scheme was fully examined by the audit and finance authorities of the Government of India, and, after a period of experiment in two departments, was brought into force in the United Provinces for all departments with effect from April 1, 1926.

5. [99] *Principal features of new system.*—The principal features of this new system are as follows :—

- (1) To each department is attached a pay and accounts office, the head of which is known as pay and accounts officer. He is a gazetted government servant of the status of an assistant accounts officer in the Indian audit and accounts department. The larger departments (Public Works

department, Land revenue, General administration, Administration of justice, Education, and Police) have each an accounts office and officer of its own; the smaller departments, arranged in convenient groups, share such an office and officer.

- (2) These offices are located where possible in the office of the head of the department, or at all events in the same place and in convenient proximity to him.
- (3) Bills against the various departments are no longer presented at the treasury but sent to the pay and accounts officer concerned. He pre-audits the bill and then pays it by cheque, subsequently passing the charge into the departmental accounts which he compiles.
- (4) Provincial accounts are maintained in a central accounts office which is under the immediate charge of a deputy chief accounting officer of the status of a first class officer of the Indian audit and accounts department, and in superior charge of the chief accounting officer, who is the finance secretary. This officer also deals with various accounts that cannot be easily departmentalized: for instance, loans and advances, exchange accounts, etc. The deputy chief accounting officer further acts as pay and accounts officer for the forest department.
- (5) The pay and accounts officers prepare the revised and budget estimates in the same way and on much the same lines as the former accountant-general. They subsequently send them to the finance department, which examines and passes them and subsequently prints the detailed estimates.
- (6) To each accounts office is attached an audit section, the duty of which is to examine its accounts. These audit sections are under the central officer, namely, the director of audit. He also has staff sufficient to send out into the district to inspect accounts there. Bills are no longer examined at the treasuries, which have become merely counters where moneys are actually paid or received.

6. [100] *Advantages of the new as compared with the old system.*—The new system has many advantages.

- (1) A creditor of Government now receives payment of his dues, if anything, rather earlier than he did under the old system; whilst he knows that the payment once received is final, since it will not be made until the claim has been fully audited.
- (2) The bill when pre-audited at once passes into the accounts. The result is that the departmental accounts, instead of being two months late, are ready within a fortnight at most of the end of the month to which they refer; with the result that the heads of departments do not experience any difficulty in ascertaining the progress of their expenditure and in controlling it. Similarly, an abstract of the provincial accounts reaches the Government within three weeks of the end of the month to which it refers.
- (3) Audit is now entirely independent of accounts. Further, inasmuch as the accounting staff is an expert staff, the amount of routine work that devolves on audit has greatly diminished, and the audit staff ought to be able to devote itself to more important inquiries and investigations.
- (4) The pay and accounts officer, being attached to a single department, is conversant with its needs and difficulties and prepares his budget and revised estimates accordingly.
- (5) Controlling officers, having their accounts officers at hand to keep them aware of the progress of expenditure, spend much more freely and fully than of old and are no longer tempted to leave margins. The result is that budgetting is becoming much more close and lapses much less large or frequent.
- (6) Finally, Government are now completely responsible for the maintenance of their own accounts.

7. In describing the working of the new system of accounts since April 1, 1926, each of the statements in para. 6 is taken as a text, and facts and arguments are given to prove them.

(1) PAYMENT OF BILLS.

8. *The drawing officer's criteria.*—The creditors of Government, especially its own drawing officers, apply two tests

to the new system, namely punctuality and finality of payment. The finality of payment depends on audit, and will be referred to under that head. (See para. 20.)

9. *Bill payment in the early days of the system.*—At first, the officers in charge, who had to work new processes to which they and their staff were unaccustomed, devoted all their energy to avoiding delay in the passing of bills and the issue of cheques: with the result that for a while every office worked overtime as well as on holidays and Sundays. As they gained experience they were able to introduce ingenious modifications into their procedure, which had the result of simplifying and speeding it up. Some of these are worth mentioning.

- (1) An elaborate time table was prepared, which fixed for every drawing officer the dates in each month for the despatch of various kinds of bills. This had the effect of spreading work out evenly over the whole period, and avoiding its concentration at particular times, especially the end of the month. The cheques were issued as the bills were passed, and postdated, when necessary, to the day when the payment was due.
- (2) A drawing officer has the right to cause payment of his personal claims to be made at his bank. Arrangements were made with every bank in the province, by which a single cheque was sent covering the payment of all its clients, with a statement showing how the amount should be sub-divided amongst them. This greatly reduced the number of cheques to be issued.
- (3) It was found that the postal registration of cheques caused considerable delay in their passage through the post. To avoid this, registration was restricted to cheques exceeding Rs. 500 in value; and arrangements were made with the postal authorities by which certain registration formalities were carried out by the accounts officers themselves.

10. *Relevant figures.*—A few figures will suffice to complete the tale.

- (1) Between April 1 and September 30, 1926, the number of bills received was 84,971. Of these all but 4,399 were paid within the month of receipt.

- (2) From October 1, 1926 to March 30, 1927, the number of bills received was 94,597. The number outstanding at the end of the month of receipt was 268.
- (3) During the year 1927-28, the number of bills received was 194,391. The number outstanding at the end of the month of receipt was 34.
- (4) From April 1 to September 30, 1928, the number of bills received was 95,757: the number outstanding at the end of the month of receipt was 10.

In every case of delay since April 1, 1927, there has been some special cause: either the bill has been received, contrary to rule, so late in the month that payment within it was impossible, or the delay has been due to some substantial irregularity in the bill itself. For instance, of the ten bills of the current year, the delay in four cases is due to a reference to Government with the object of regularizing payment.

11. *Travelling allowance bills.*—It has been stated that under the new system, there is undue delay in the payment of the travelling allowance bills relating to subordinate establishments. The check of such a bill is always a heavy job, for the claims of the entire establishments for a whole month are included in a single bill: and in departments where travelling is constant, the bill assumes huge dimensions. A police establishment bill, for instance, may cover 100 pages or more, each containing fifteen to twenty items, every one of which must be separately checked. Recently, to test the validity of this complaint, an investigation was held in respect of one of the heaviest touring months in one of the largest accounts offices. The inquiry proved that the period from the date of receipt of such a bill to the date of the issue of its cheques *never* exceeded four days.

(2) COMPILATION OF ACCOUNTS.

12. *Old and new systems compared.*—Under the old system of accounts, controlling officers never received a statement of expenditure till a full two months after the date to which the figures related. Control in such circumstances was manifestly impossible. In 1925-26 Government introduced a system by which the controlling officer had to maintain a complete set of departmental accounts of his own, which he was supposed periodically to compare with the figures of the accountant-general. Reconciliation, however, proved immensely

difficult; whilst the method was unsatisfactory because it involved duplication of work. Under the new system, the controlling officer receives a statement of progressive expenditure at the end of every month, within fifteen days of the end of that month; and he has now no longer any chance of putting the blame for underspending or overspending on the accounts department.

13. *Register of current expenditure.*—During the present year, further facilities for control have been provided, with the approval of Government. A “register of current expenditure” is now maintained in every accounts office, which gives, for every budget sub-head, not only the original budget grant and the progressive figures of expenditure, but all supplementary grants and reappropriations, and also (as a means of comparison), the figures for the same period in the previous year. This gives the controlling officer, not only complete information of all relevant facts, but also a standard by which to measure. This register is prepared in the accounts office, and submitted with a memorandum by the accounts officer, which explains all important variations and draws attention to possible excesses or savings, thus enabling the controlling officer to take remedial measures in good time. This register is not prepared monthly, like the statement of progressive expenditure mentioned in para. 12, but only for those months when special vigilance is needed, i.e., the first quarter, and thereafter from the fifth to the ninth month.

14. *Absence of controlling officers in some departments.*—A weakness in the system was the absence of a controlling officer for certain grants, such as District administration, which are broken up amongst numerous drawing officers. This too has now been put right, by appointing as controlling officer one or other of the officers of the finance department.

15. *Finance secretary's registers.*—That however is not all. A similar register, though of a more elaborate nature, also goes to the finance secretary both for expenditure and revenue. It contains all the figures, for all departments, which are given in the register of current expenditure: and also from the sixth month to the ninth, the figures for the complete year ending with that month. With the help of this register the finance secretary frames his revised estimates,—three months, six months and eight months,—and watches the progress of the provincial receipts and charges up to the date when the budget of the next year has been finally prepared.

16. *Criticisms of the system of compilation.*—It has been said that much of this work is wasted; that no controlling officer troubles about his expenditure till the last six months of the year. The statement is possibly true: it is equally true that this indifference in the first half of the year is injudicious. Under the arrangement described above (para. 14), the finance secretary, as controlling officer of the district administration, found in the three months' figures ample warning of trouble to come, and of the need for remedial action, if matters did not improve. Reports made to the finance department show that other controlling officers have had the same experience.

(3) AUDIT.

17. *Constitutional advantages of new system.*—It is a common place that an auditor must be entirely independent of the authority whose accounts he examines. The principle is observed in the case of the auditor-general in England, who is a servant not of the Crown but of Parliament: it is observed in the case of the auditor-general in India, who is subordinate not to the Government of India, but to the Secretary of State. But it was not observed in the case of the old provincial accountant-general: indeed, he audited accounts which *he himself* had prepared. That is, of course, no longer the case: the provincial director of audit has nothing to do with the accounts prepared under the orders of the chief accounting officer, and the new system is therefore free from a grave constitutional defect.

18. *Interference of audit in administration in old system.*—Again, under the old dispensation, the accountant-general had an important share in the preparation of the budget estimates, and spent much time in giving financial advice to administrative departments. By so doing he undoubtedly took part in the work of administration, which is emphatically undesirable in an audit officer. Moreover, his efficiency as such was impaired: he was for instance naturally liable to be prejudiced in favour of his own figures, whilst an opinion given on an unofficial reference regarding expenditure might well prove inconvenient when that particular item of expenditure came up for audit. His value as a constitutional safeguard was undoubtedly lessened by the close relations which he maintained with the administration.

19. *Absence of such interference in new system.*—Under the new system, these difficulties no longer arise. It is the accounts officers who prepare the budget estimates, it is they who would be consulted on any point of doubt regarding

expenditure. In this respect, the new system is free from a constitutional defect inherent in the old.

20. *Pre-audit*.—Under the old system of accounts, a bill was, almost invariably, paid first and audited afterwards. The result was that the drawing officer might, and very often did, find himself called upon to answer an audit objection months after he had drawn his money, long after he had forgotten the circumstances. (There was a time when every officer in the Indian Civil Service, except the most senior and most junior received not less than two and often more audit objections every year that related to his pay.) The new system, however, is one of pre-audit. The bill is audited first and paid afterwards, and once paid, there is an end of the matter, unless by chance the director of audit raises an objection in the course of his test audit. Such objections are uncommon, and even when they do occur, they rarely reach the drawing officer; for the pay and accounts officer intercepts them, and taking them as a reflection on himself (as indeed they are), spares no pains to settle them without reference to the drawing officer if he possibly can. There is no doubt that to the large body of drawing officers, a pre-audit system is a boon, meaning as it does final payment, and a complete absence of those belated and troublesome objections that must occur in a post-audit system.

21. *Results of post-audit*.—There is no doubt that the results of the present pre-audit are more satisfactory than those of the previous post-audit. Under the old system, the staff which compiled the accounts also audited them. Compilation had to be completed by fixed dates: and if the clerk concerned was hard pressed or lazy, he was apt to neglect his audit functions, simply because failure to compile would certainly be detected whilst failure to audit would only be detected by chance. Moreover, there was a tendency for audit to be superficial: the more formal and technical flaws were noted, the more substantial irregularities, which gave trouble, were ignored.

22. *Results of pre-audit*.—Pre-audit has produced precisely opposite results. The pay and accounts officer who discovers a formal irregularity in a bill will not return it for correction, since that would involve a delay of several days in its payment. He pays it first, and causes the irregularity to be corrected afterwards. On the other hand, he is not likely to pass a bill that contains any substantial irregularity: he is personally responsible for the accuracy of his procedure, he knows that an independent audit staff may review it, and

he will not risk an overpayment which he may be called upon to make good. Indeed, only two important cases of overpayment have been brought to light in two and a half-years. There is no doubt whatever that the pre-audit of pay, establishment, and travelling allowance bills is far more effectual than it used to be.

The amounts actually retrenched by the pay and accounts officers during the period April 1, 1926 to September 13, 1928, have been as follows:—

	Rs.
1926-27	1,44,320
1927-28	1,62,088
1928-29 (six months)	1,34,614

No figures are available for the old system: but an experienced audit officer has stated that they can never have reached the half of these sums.

23. *Contingent expenditure.*—Contingent expenditure has provided the most difficult problem that the accounts officers have had to solve: and the matter must be dealt with at some length. The nature of contingent expenditure is such that drawing officers must always have in their possession funds from which to meet it (i.e., an imprest), or be able to obtain them without delay when they are needed. Under the old system, there was no difficulty; for an imprest could always be recouped, or money drawn, from the treasury. Under the new system money could only be obtained on presentation of a detailed bill to the pay and accounts officer, who must pre-audit it before he issued a cheque: so that there was always some delay before the drawing officer received his money, and always a danger that he might find himself with emergent claims to meet and no money with which to meet them. The accounts officers realizing these facts, suggested a return to the old system of treasury payments in the case of contingent expenditure. But for certain reasons their request was refused; and the difficulty was solved by permitting drawing officers to obtain a special advance for contingent expenditure, to be subsequently covered by a detailed bill. The same result might have been achieved by increasing the permanent advance (or imprest), but there were technical reasons why this could not be done, save in this roundabout manner. The method is unsatisfactory as it results in a temporary locking up of money, to the extent of about half the permanent advance; but it removed the practical difficulties described above.

24. Recently, Government have introduced certain changes in their treasury system (which are described in an appendix to this note). One result of these is that the treasury officer is a trained accounts officer, quite competent to audit contingent expenditure bills and issuing cheques to pay them. It will now be possible to revert to the old system of audit and payment at the treasuries; and the change will shortly be introduced wherever these trained treasury officers at present exist.

25. *Pre-audit and contingent expenditure.*—The new system of accounts has often been condemned on the ground that pre-audit is impossible in the case of contingent expenditure. The statement is true as it stands: but as a ground for condemnation it is ridiculous. Contingent expenditure must be met at once, as it arises: if a clerk has been sent in a tonga to fetch a box of government records, the tonga driver cannot be kept waiting for his fare till his charge has been pre-audited. Pre-audit is no doubt impossible, but the cause is the nature of the expenditure, not the nature of the system. The most that can be expected in his case is audit at the earliest possible moment: and that the new system secures as well as the old. Even in the case of the special advances, inquiry has proved that 48 advances out of 56 given in a single office in one month were covered by a detailed bill and audited within the same month.

26. *Works expenditure in the Public Works department.*—What is true of contingent expenditure, is to some extent true also of works expenditure; pre-audit is impossible. But the cause is much the same. This expenditure consists very largely of payment of labourers' wages, cost of materials at site, and similar charges which must be met, if not as they arise, at all events without delay. And the solution is the same: audit and payment can in future be entrusted to the trained treasury officers.

27. *Criticisms regarding pre-audit.*—Experienced officers have occasionally complained, especially in connexion with contingent and works expenditure, that the advantages of pre-audit are exaggerated. These, they say, are precisely the kinds of expenditure in which substantial irregularities are most likely to occur; yet pre-audit in these cases is impossible. On the other hand, it is most effective in respect of personal claims of various kinds where substantial irregularities are less likely to occur. These premises are doubtfully valid. A large part of all contingent expenditure,

namely, contract contingencies, is not now, and never has been, subjected to audit at all. Another large part of contingent expenditure consists of trivial sums where substantial irregularity is impossible because the sum involved is unsubstantial. Again, one type of personal claims, namely, claims for travelling allowance, is often seriously irregular, for profiteering in some departments is rife,—so much so indeed, that the superior accounts officers have recently moved Government to amend the travelling allowance rules so as to prevent it. It is scarcely necessary to pursue the argument further. Pre-audit is obviously a boon to the drawing officers for reasons indicated in para. 20. It is equally advantageous to Government, since the payment once charged in the accounts is rarely altered later.

28. *The "tyranny of audit"*.—Certain administrative officers have also complained of the "tyranny" of the audit department, alleging that they bring to light only trifling irregularities at the cost of an enormous increase in work, worry and expenditure. There is some measure of truth in these complaints. Under the old system audit, as explained in para. 21, was apt to confine itself to the more formal and superficial flaws, and has not yet freed itself of that tendency. It may, however, be mentioned that recently certain steps have been taken which will have the effect of relieving superior officers of the need for devoting personal attention to the more common and petty audit objections: the steps are of a technical kind and need not be described. Audit inspecting parties have no doubt been directed to pay particular attention to what is known as "higher audit" (or what is called in England "administrative audit"), i.e., to investigation of the suitability rather than the mere regularity of expenditure. But that, as Sir Frederic Gauntlett explained at a recent meeting of the provincial committee of public accounts, is a matter for superior audit officers, not for the subordinate officers of whom inspecting parties usually consist. The truth is that the scheme of separation has produced changes so far-reaching both in the methods and standards of audit, that the department has not yet succeeded in accommodating itself to them. There is no reason to doubt that they will do so in time. So far as audit in the accounts offices themselves is concerned, no complaint is possible. After a year's experience, the former intensified audit has been found unnecessary and abandoned. It is now replaced by a mere test audit, and the headquarters staff are thus able to devote a large part of their time to

higher audit matters. Some of these investigations have related to trivialities, though the director of audit could not be expected to know it until he had received the explanations; others have been decidedly important. There is no doubt that as time passes financial irregularities, both in the departments and in the accounts offices, will progressively decrease, the need for audit interference will progressively diminish, and the situation will become comparable to that which exists in England, where even in the biggest spending departments audit amounts to nothing more than a test. Even now there has been a considerable advance. Soon after the Reforms came into being the Finance department was requested by the head of a large spending department to put a stop to the accountant-general's audit objections, on the ground that they interfered with administrative efficiency; to which the Finance department replied that they did not propose to muzzle their own watch dog. But occurrences of that kind ceased long ago.

(4) RELATIONS BETWEEN THE PAY AND ACCOUNTS OFFICERS
AND THEIR DEPARTMENTS.

29. *Position of the pay and accounts officer.*—The pay and accounts officer is primarily subordinate to the Finance department. He is responsible to it for scrutinizing all demands for money with reference to the relevant rules, and for rejecting any demand that he considers inadmissible. He is also responsible to that department for maintaining his accounts in proper form and correctly classifying all items of expenditure. On the other hand, it is his duty to give to the head of his department assistance in the maintenance of his accounts and the preparation of his budget estimates, and to advise him on any financial question that may arise. The head of the department, however, must be master in his own house. He is not therefore bound to accept his pay and accounts officer's opinion and can, if he sees fit, issue orders which the latter must obey. If a conflict of opinion arises between the two, the pay and accounts officer must at once refer the case to his own superior officer (the chief accounting officer); who, if he is unable to settle the difference in consultation with the controlling officer, will refer it to independent authority in the person of the director of audit. There has occasionally been disagreement between the controlling officer and his expert adviser. On such occasions, however, it has as often been the latter as the former who has referred to the chief accounting officer. Nor has there been a single case of such conflict during the last twelve

months. At the present time the controlling officer is much more inclined to accept his expert adviser's opinion than to dispute it. This is specially true perhaps of the Public Works, Police and Education departments.

30. *Unofficial references.*—The number of unofficial references referred to the various accounts officers has increased from 2,177 in the first year to 2,400 in the second. This is evidence of the increasing extent to which departmental officers consult their accounts officers. The figures, however, do not include numerous personal consultations, telephone discussions, and demi-official letters.

31. *Relations between controlling and accounts officers after provincialization.*—From time to time the fear has been expressed that after provincialization heads of departments will be able to force accounts officers into a position of dependence, and that the accounts officers of the time, who will generally be recruited from the ranks of some provincial service, will not be able to withstand the pressure. As British experience proves, the wish is possibly father to the thought. "It is obvious that there are openings for jealousy and friction between the executive officers who have got to get the work done and the financial officers on whom is imposed by Parliament and the treasury the duty of acting as guardians of the parliamentary scheme of appropriation. History, in fact, tells us of more than one effort on the part of the more powerful spending departments to get rid of the independent authority of the accounting officer . . . by subjecting it to that of subordinate executive officers, or by transferring the functions bodily away from the financial staff to executive officers. In 1905, for instance, an army order was published which transferred the powers of certain sub-accountants to a class of military administrative officers. By making the spenders themselves judges of the legality and regularity of their own spending, the order struck at the root of the whole system of control as imposed by Parliament. No harm was done because the attempt was frustrated by the energetic action of the Public Accounts Committee." (Hilton Young, *System of National Finance*, page 136.)

32. As it was in England, so it would be in India,—and more easily, for whereas the British accounting officer is an officer of his own department and not of the treasury, the Indian accounts officer is subordinate to the Finance department. The Finance department would very quickly detect any attempt on the part of an administrative officer

to destroy the independence of this accounts officer and as quickly take steps to prevent it. The argument, moreover, presupposes that the accounts officer's position would be so subordinate that he would not be able to resist pressure from a controlling officer. That presupposition is unwarranted. As the British treasury once declared, the accounting officer "should occupy a sufficient standing to enable him not only to exercise direct supervision and control over the persons executing the detailed business of account and book-keeping, but also to influence the working of the department in all those respects which affect the method of its receipts and expenditure." (Hilton Young, page 138.) There is no reason whatever to suppose that the future pay and accounts officers will be of a status inferior to that of the present officers. If these can maintain their independence against the executive, there is no reason to suppose that their successors will fail to do so. At all events, the Finance department will see that they do not fail.

(5) CONTROL OF EXPENDITURE.

33. *Gladstone's dictum.*—"It is undoubtedly the business of the House of Commons to be responsible, not only for the inception of all public expenditure, but also to follow money raised by taxation until the last farthing is accounted for." (Gladstone,—Hansard, Volume 197, page 633.) The legislature must not only direct how money is to be spent, but see that its directions are observed. And for that purpose the spending officer must render exact account of his spendings: if he ventures to exceed his grant, or directs money from the purposes to which the legislature has appropriated it, he must answer for his illegal act. It is the important constitutional principle enunciated for the first time by Gladstone that lies at the root of all appropriation audit, and makes adequate control of expenditure so important.

34. *Control of expenditure under the old system.*—Before the Reforms it was the Finance department that allocated grants, and the head of a department who exceeded his grant could obtain an addition to it as a matter of course. In such circumstances control of expenditure was of relatively small moment. The position changed under the new constitution; since a grant voted by the legislature cannot be exceeded without that body's formal consent, it has become imperative to impose on the head of the department, or other officer who receives the grant, the duty of avoiding an excess, or answering for it if he incurs it. But under the old system

it would have been difficult, or even unfair, to insist on their shouldering this responsibility. Their accounts were kept for them by a staff that they did not control, and compiled in such a way that they remained in ignorance of the results till two months after the expenditure to which the accounts related. Heads of departments were not only unable to control expenditure, but, being unable to watch its progress, were not even aware of its normal course.

35. *Results of the old system.*—The practical results were serious. Some officers would over-estimate their requirements, for fear of under-estimating them: others under-spent for fear of over-spending. A few went to the other extreme, and spent without reference to their grants at all. In due course, lapses and excesses were pilloried in the appropriation accounts: in due course, the committee on public accounts expressed their dissatisfaction. But no effective action was or could be taken against the delinquents, because they could always shift the blame on to the system. Appropriation audit became a futility: and the legislature, however willing was utterly unable to fulfil the duty enunciated by Gladstone.

36. *Control of expenditure under the new system.*—Matters have altered greatly under the new system. Every head of a department now has his accounts officer, charged as in England, with the duty of preparing his appropriation account and of explaining it. No controlling officer can now evade his responsibility for watching his expenditure, and keeping it within his grant. He no longer over-estimates his needs: he no longer under-spends his allotment. Constitutional practice in the matter of appropriation audit now corresponds with constitutional theory. As for the practical results, the following figures are proof enough of improvement. Before 1925-26, the saving on the total grants of the province was rarely, if ever, less than 10 per cent., and sometimes considerably more. In 1925-26, as the result of the intermediate system described in para. 12, the figure fell to 3.69 per cent. In 1926-27, the first year of the new system, it dropped to 1.38 per cent. In 1927-28 it has risen slightly to 1.86 per cent., but in that year the finance department was compelled to request some departments to restrict their expenditure, thus artificially increasing the saving.

(6) PROVINCIAL RESPONSIBILITY FOR THE MAINTENANCE OF ACCOUNTS.

37. *Constitutional anomaly caused by the old system.*—The old system led "to an important constitutional anomaly.

A provincial legislative council has complete control over the votable expenditure of its province. The provincial government is responsible to the council for its application of the funds voted by the council. The way in which those funds have been applied is shown in the provincial accounts. Yet neither the council nor the government have any control, whatever, over the methods in which the accounts are compiled, or the agency which compiles them. They cannot intervene to prevent or correct errors: they can merely move the auditor-general, an officer of the central government, to take the necessary action. In actual practice this constitutional anomaly has caused no serious inconvenience: yet an anomaly it remains, and might cause inconvenience at any moment." (Letter of this Government to the Government of India no. 68-C.L. of September 8, 1924, para. 3.) Nothing need be added to this statement; but it must not be supposed that because the "constitutional anomaly" had caused no serious inconvenience, it had not proved the cause of complaints. More than once, the legislature under the old system, has asked to be supplied with further figures: Government usually replied that it depended on the accountant-general, over whom they had no control, whether those figures were supplied. On various occasions, the legislatures have complained of confusing changes in the form of accounts, or contested the correctness of individual figures: the Government have been able to disclaim responsibility both for the changes or the figures. Under the new system, it is a different matter. The finance department must and does admit responsibility for every figure in the budget estimates: it can and does accede to requests for further information. For instance, the council have expressed a desire that revised estimates should be given for all the detailed heads of account. That has involved a considerable amplification in all accounts registers, and will involve an enormous increase of work in the preparation of the revised estimates. But the figures required will be provided.

IMPROVEMENTS EFFECTED BY THE NEW SYSTEM.

A.—Financial.

38. *Erroneous debits of pensions.*—When an officer has served both under the central and a provincial government, his pension under article 190(2) (b) (iii) of the Audit Code must be divided proportionately on the basis of length of service between the two. The accounts officer in the pension department discovered a number of pensions that had been

misclassified under this rule. On his own account, he carried out a complete check of the pensionary charges of 1926; and was subsequently ordered to extend his investigations to the pensionary charges of the years 1921 to 1925. The result was that this Government secured a sum of Rs. 20,000 on account of 1926, and a further sum of Rs. 1,02,000 on account of the previous years. This has led to certain changes of system to prevent future misclassifications. The above relates only to pensions paid in India; pensions paid in England have yet to be examined and will probably yield a similar, if not a larger, sum.

39. *Erroneous credit of provincial receipts to central heads.*—The receipts accruing from a certain government estate were, by a mistake in classification in the year 1923, credited to the Government of India, and have been so credited ever since. Though the Government regularly entered these receipts in its budget estimates, they never passed into the actuals. An accounts officer discovered the mistake in 1927-28,—with the result that the local government recovered a sum of Rs. 3,56,000 on account of the sums due during this period. The benefit, of course, is recurring, to the extent of some Rs. 70,000.

40. *Erroneous debits of leave salary.*—This case is similar to that mentioned in para. 38. When an officer has served under two governments, then under rule 183(2) of the Audit Code, the leave salary which he draws during any leave taken after the date of transfer from one government to the other shall be debited in the first place to the borrowing government, until the entire leave earned under that government has been exhausted. By chance a case of misclassification came to light; and a test investigation was made to ascertain whether such misclassifications were common. It was found that they were. The investigation is still in progress: the sum so far secured is nearly nine lakhs. It is, however, estimated that when the investigation is complete, it will have reached fifteen lakhs.

41. *Pensionary contributions from district boards.*—Certain registers are maintained to watch recoveries on account of pensionary contributions from district boards. These registers were neglected for some seven years, and have now been brought up to date. The net monetary gain to government revenues is at present Rs. 5,500.

B.—Other improvements.

42. *The sanction of pensions.*—Delays have often occurred in the sanction of pensions. These were generally due to the fact that pensioners and heads of departments were ignorant of, or failed to observe, the correct procedure in the matter of preparation of pension papers. These delays caused great inconvenience to the pensioners, and the accounts officer concerned has now prepared a pamphlet of "instructions to officers and heads of departments for the preparation of pension papers," which has been printed and issued to all concerned.

43. *Officers' personal claims.*—Under article 916, Civil Service Regulations, an accounts officer is required as a rule to decline to advise a government servant upon any questions connected with his claim to pension until he actually retires or is about to retire. That rule has caused much inconvenience; for instance, an officer often requires such information to enable him to decide whether he will retire or not. Under the new system, this rule is tacitly ignored, and any officer, on application to the accounts officer concerned, receives all possible assistance and information relating to his personal claims, such as leave, pension, pay and allowances.

44. *Adjustment of remittance transactions.*—One of the advantages expected from the new system was the early completion of the accounts of a year. *Prima facie*, since the accounts of any month are available fifteen days later, the accounts of the year should be available on April 15. Unfortunately that is impossible, as the result of what are known as "remittance" transactions. Some of these are due to the fact that cheques issued in the last few days of March (which generally include some specially large amounts) cannot be cashed till the first few days in the following official year. Others are due to debits and credits transferred from one accounts officer to another; for instance the police department has annually to make a large payment to the jail department on account of police clothing. A third type of remittance transaction consists of those in which other governments are concerned; an instance of these are the agency charges due from other governments. Under the old system, the total sum involved in these transactions was very large. In the year 1925-26, for instance, it amounted to some 72 lakhs. This figure dropped in 1926-27 to Rs. 76,000 and in 1927-28 to Rs. 18,000. Not only so, but a considerable number of debits due by this province to other authorities were actually paid before the claim was received from the authority concerned. These results are due entirely to the fact that the

new system makes it possible for accounts to be kept much more up to date than the old system.

45. *Minor improvements.*—There have been numerous other improvements of less importance that need not be mentioned.

THE BRITISH SYSTEM.

46. *Comparison between British and United Provinces systems.*—The system of accounts in this province closely resembles the British system. Every British department has its accounts office under an officer whose designation varies greatly,* but whose duties and position closely resemble those of our pay and accounts officers. (The only difference is that the British officer is only an "accounts", not a "pay", officer; for all payments in England are made by the paymaster-general.) He prepares the departmental estimates: he must satisfy himself that every payment is regular before he makes or authorizes it, i.e., he must pre-audit it: he advises the head of his department on all financial matters,—as an official of the board of education put it to the writer, "his job is to take care that the department does not make a financial fool of itself." Finally, he is responsible for the preparation and correctness of the appropriation accounts. He stands to the head of his department in precisely the same relation as the provincial pay and accounts officer stands to his,—with one exception. Whereas our pay and accounts officers are subordinate to the finance department, and appointed by them to serve in a particular administrative department, the British counterpart is an officer of the administrative department and appointed to serve as accounts officer by the treasury (with the consent of the Prime Minister). And audit in England is the function of the comptroller and auditor-general, an entirely independent officer, responsible to Parliament alone.

47. *Separation of accounts and audit in the British system.*—In England, therefore, accounts and audit are entirely separate. There have been attempts to transfer the pre-audit of the accounts officer to the comptroller and auditor-general, or to replace it by his audit. The first attempt was in 1876, but was vigorously opposed by the treasury. It rests" they said "on a vicious principle. It would in fact relieve these great officers (the Secretary of State for War and the First Lord of the Admiralty) of a most important

* The generic term is, or was "accounting officer." But recently this name has been reserved for the head of the department, and serves to mark his personal responsibility for his accounts.

part of their responsibility. As administrators they are bound to see that the services which they direct are duly maintained, and that the expenditure incurred for that purpose is duly and orderly met. The proposal is open to the further objection that it would mix up the comptroller and auditor-general in the work of administration.....It is his business to examine the completed accounts of the executive government and to report upon them to the House of Commons. It is not his business to prepare or complete those accounts for the satisfaction of the executive government." (Public accounts committee, 3rd report, 1876, appendix I. Treasury minute 4800/76 of March 20, 1876). The British public accounts committee in 1901 expressed a similar opinion in terms no less decisive; but enough has been said. No more damning indictment of the old system of accounts, no more striking argument for the new, could be found than this quotation from an ancient treasury minute.

THE COST OF THE SYSTEM.

48. *Present position.*—The scheme of separation of accounts and audit is still in an experimental stage. As such, Sir Frederic Gauntlett, auditor-general, has given it his commendation, both officially in a report to the Secretary of State, and on many occasions unofficially. So too did the provincial director of audit in a report at the end of the first year's working. It now remains for the Statutory Commission to decide whether the experiment is to be abandoned, or become a permanent feature of the constitution.

49. *Provincialization.*—The original proposal was that when the system became permanent, it should also be provincialized: and that indeed is the only logical course. A local government cannot continue indefinitely in the undignified position of agent of the central government for the management of its own accounts. The only question yet to be decided is the incidence of the cost. At present, it is borne entirely by the central government save a sum of Rs. 20,000 per annum, plus any additional expenditure that the provincial government may incur for its own benefit.

50. *Former proposals regarding cost.*—It was first suggested that the funds required to pay for the scheme should be obtained from the correlated scheme for the separation of provincial balances. But that scheme is not essential to the present one: nor is it either desirable, or desired by this province. The position is however simplified thereby: for the provision of funds becomes merely an item in the redistribution of resources.

51. *Present proposals regarding cost.*—There are two salient points. Firstly, if accounts are provincialized, the Central Government will save such part of the total cost of the old combined system as can be fairly attributed to accounts; and clearly in any redistribution of resources a sum sufficient to cover that part of the total cost should be assigned to the province. Secondly, whatever view the Government of India took of their liability to pay for the new system in its experimental stage (and it may freely be admitted that the view taken was generous), the fact is clear that any additional expenditure on accounts was incurred mainly for the benefit of the province: and that additional expenditure the province should be prepared to finance out of its own resources. That sum may be anything between one and two lakhs. But there is good reason to hope that retrenchments effected and the correction of erroneous debits will counterbalance the extra expenditure involved and perhaps also leave something over for the benefit of the province.

CONCLUSION.

52. The new system of accounts is not yet perfect. But its officers are constantly labouring to make it so, and every year sees the introduction of improvements, the result of their experience. At the least it is infinitely superior to its predecessor, or to any half-hearted modification of it. It has been said, for instance, that were an accountant-general's office organized on a departmental basis, he could do all that the present system does. That is very doubtful. What accountant-general would be prepared, in addition to his other duties, to prepare the departmental and provincial registers of current expenditure and the provincial register of current receipts? Yet it is on those registers that depend not only control of expenditure, but the revised and budget estimates. Meantime, pre-audit would go, payments by cheque would go, the old troublesome post-audit objections would return. A reversion to the old system would evoke a storm of protest, not only from drawing officers, but many other creditors of Government.

PART B.

Amalgamation of treasuries in the United Provinces.

THE separation of accounts from audit, with the introduction of pre-audit and payments by cheque, has led to a reduction of treasury work and to the abolition of one post of clerk in 28 treasuries in the province. The Government have since introduced certain other changes in the treasury system which also make for economy. These are (a) the substitution of trained accounts officers on lower pay for deputy collectors as treasury officers, and (b) where possible, the combination of two or more treasuries into one. The former proposal is designed to improve the treasury system generally by replacing amateurs by experts. It will also make possible the pre-audit and payment of contingency and works expenditure bills on the spot instead of in the accounts offices. The latter proposal is intended partly to reduce cost and partly to simplify the process of remittance, for the larger the number of treasuries the more complex is this process.

2. In 1926 the Government drew up the following scheme in collaboration with an officer of the Government of India :—

- (1) In districts where there is a branch of the Imperial Bank of India the treasury is amalgamated with the treasury of an adjoining district—preferably a small one. The officer in charge of such a treasury is a trained gazetted officer of the subordinate accounts service on a scale of pay of Rs. 300—25—500 per mensem, as against the pay of Rs. 250—30—850 of deputy collectors. Such a combined treasury also gets one additional clerk to cope with the increase in work due to the increase in the number of sub-treasuries.
- (2) The headquarter sub-treasuries in the districts where the treasury is abolished continue to make all civil and military pension payments as well as personal deposit payments. In such a district the post of treasury head clerk is abolished; and a full-time non-gazetted sub-treasury officer is appointed instead on a pay of Rs. 200—10—250 per mensem. These sub-treasury officers

are recruited from among the senior treasury head clerks or office superintendents in the province. The clerical and cashier's staff of the former treasury is turned over to the new *sadr* sub-treasury; but the sub-treasury attached to the *tahsil* disappears, and with it the post of *siaha navis*. The *tahvildar*, however, goes over to the cash department of the new sub-treasury.

- (3) These treasury and sub-treasury officers are not given any miscellaneous work save such as is connected with treasuries. For example, they are responsible for the custody and supply of stamps, but they are not stamp officers; nor are they in charge of sales of immovable property, of *nazirs'* accounts, or the English or vernacular offices in the districts.
- (4) The new arrangement does not in any way relieve the district officers of their existing responsibility for the administration of the treasuries under the rules in chapter 16 of the Civil Account Code, volume II.

3. In each amalgamation two posts of deputy collector on Rs. 250—30—850 and one post of head clerk on Rs. 140 per mensem are abolished, and are replaced by one post of treasury officer on Rs. 300—20—500 and one of sub-treasury officer on Rs. 200—10—250 per mensem. The net saving, therefore, exceeds Rs. 500 per mensem or Rs. 6,000 per annum in each case; and when the scheme has been extended to fifteen or sixteen treasuries, as is contemplated, the saving will amount to about a lakh.

4. The first experiment was the amalgamation of the two treasuries at Allahabad and Partabgarh with effect from May 1, 1927. Difficulties that arose from time to time have all been settled; there is now no doubt that the new type of treasury is an improvement on the old, and the experiment has been a complete success. Recently the Government have further extended their scheme by amalgamating the following treasuries with effect from June 1, 1928:—

Cawnpore with Fatehpur.

Lucknow with Unao and Rae Bareli.

Benares with Jaunpur.

Meerut with Muzaffarnagar.

Bareilly with Shahjahanpur and Pilibhit.

Naini Tal with Almora.

The combined district treasuries are at Allahabad, Cawnpore, Lucknow, Benares, Meerut, Bareilly and Naini Tal respectively.

5. The only real difficulty which the Government have so far experienced is the shortage of suitable officers to take charge of the amalgamated treasuries. It is this difficulty alone that prevents immediate extension of the scheme to the rest of the province. The Government hope to solve it thus. Treasury officers of the new type are recruited from among the superintendents in the accounts offices. To replace the superintendents selected for appointment the Government have recruited twenty probationers in the subordinate accounts service and are giving them an intensive training in accounts. They will sit for the subordinate accounts service examination conducted by the Auditor-General; and when they pass it they will be qualified to be appointed as superintendents. During their probationary period these men receive a pay of Rs. 80 per mensem; their pay and the cost of their training are met from the provincial revenues.

ADDENDUM.

Note on the position of the depressed classes.*

THE position of the depressed classes in relation to representation in the legislature has been dealt with in paragraph 173 of part VI of volume I of this Government's description of the working of the system of Government and certain proposals in the matter are being made separately. The present note is meant to describe the nature of the problem presented by these classes in this province and the steps that have been taken to deal with it.

2. The number of aboriginals in the province is comparatively small and most of them are to be found in a government estate in the southern portion of the district of Mirzapur. The estate is under the charge of specially selected tahsildar, one of whose duties is the supervision of these people. Government have devoted considerable attention to their education and to the improvement of their economic condition. In the Kumaun division also there are some primitive people, but their number is very small and Government have not considered any special measures necessary for them.

3. Of the total Hindu population of the province nearly one-third, that is almost thirteen million, are regarded by orthodox Hindus as untouchables. A list of the castes classed as untouchable, extracted from the United Provinces Census Report of 1901, with the population of each, is appended to this note. That list includes a number of castes with quite a definite place in the social scale, rigid caste rules and as highly developed a system of caste as the more reputable castes. There is no considerable section of the population of the province which is outcaste in the sense that the *panchamas* of Madras are outcaste. The term "outcaste" in this province is in fact employed to denote a person who has been excommunicated from his caste rather than one who has never had a caste. The social impurity attaching to the untouchable castes merely implies that a man of high caste will not take food or water from an untouchable, and if he touches or comes in close contact with such a person he must wash before eating or even before mixing with persons of higher castes. The rules observed in Madras regarding pollution by coming

* This note should have been included in Chapter I—General Administration—of part V.

within a certain distance cannot be said to have force in the United Provinces. Members of the untouchable castes are, however, often not permitted to draw water from the ordinary village wells and either have to provide their own well or place their vessels near the village well in the hope that some person of higher caste when drawing water will fill them. There is no inhibition against the use of the public streets, and indeed members of some of the lowest castes are employed as menials and as such have free entry into the houses of the highest castes. Nor does an untouchable experience any special difficulty in obtaining land for cultivation or a site for a house. Indeed members of the untouchable castes hold a very large area of land as cultivators. They also find employment as ploughmen, labourers, village watchmen and weavers, etc. The Government of this province thus briefly described their position in 1926. "Direct contact with them should be avoided: apart from this the treatment they experience is that accorded not to outcastes but to low castes: their civil rights are recognized and they meet with no antagonism or oppression: they are not serfs but employees: they are within and not without the Hindu social system."

4. The problem presented by these castes is therefore not one of civil position. They are already members of Hindu society and instances are known of castes which have deliberately aimed at and secured a higher position in that society for themselves. The opportunity for rising in the social scale exists. The problem in this province is to enable them to make use of it. Government have been fully alive to the problem and have taken steps in many directions to meet it.

5. Education is the most important preliminary to any scheme to raise depressed classes. All low castes are backward in this respect. To some extent this was, in the past, due to the prejudice against which these castes had to contend. But of late years this prejudice has largely abated, partly for political reasons and partly because of the efforts made by Government to remove it. Deliberate attempts were made to secure the admission of boys of depressed classes to ordinary village schools, and once the public became accustomed to the idea the response was considerable. At the same time schools intended solely for the depressed classes were opened. At the close of the year 1926-27 the enrolment of pupils of depressed classes had risen to 92,000, of whom 23,000 were in special and 69,000 in the ordinary schools. The former figure should be taken with some degree of caution as no exact definition of the term "depressed classes" is possible. Thirty-six out of forty-

eight district boards have, on the suggestion and with the help of Government, appointed supervisors for depressed classes, to encourage the growth of education among them, to aid in the institution of special schools and to secure grants-in-aid. Government have also recently included in the District Board Education Rules a provision to the effect that in the boards' primary schools established in areas occupied by members of the depressed classes and in aided schools for these classes, teachers belonging to these classes should, so far as possible, be appointed. Government also make an annual recurring grant to non-official bodies towards the cost of schools maintained by them for boys of the depressed classes.

6. Industrial education is also making good progress. Government have opened several leather working schools and it is significant of the alteration in public sentiment that even Brahmans are found working side by side with *chamars* and *mochis* in these schools. There are also several model weaving schools, in addition to a large weaving institute at Benares, and students from the weaving community are given preferential treatment in them. Grants-in-aid are given to a considerable number of weaving schools and, for the provision of technical training, to a number of missionary institutions whose work lies mainly among the depressed and backward classes.

7. Government has attempted to encourage the depressed classes to organize co-operative societies. In the year 1926-27 there were 157 societies with a total membership of 3,265 consisting exclusively of members of these classes.

8. Some castes have taken to crime as a less laborious form of livelihood than menial occupations: reclamation from crime is necessary before such castes can make real progress. Government have made considerable efforts to meet the position of the castes by finding them agricultural and industrial occupation in settlements which have been specially opened for them, by paying them reasonable wages and by providing for them (both adults and children) facilities for education, in some instances even higher education. In this work the Salvation Army have rendered help of special value. In 1926 Government made quite a new departure in work of this nature by arranging with the Chief Commissioner of the Andaman Islands for the settlement of some families of the Bantu tribes as settlers. In that year 231 adults and children were settled and since then a further 194 members of the tribe have gone, at a cost to this Government of 12 lakhs. The settlement is purely voluntary and Government hope to

send out more members of the tribe to join it. The Salvation Army have been associated in this work and regard it as one of the most hopeful means for assuring the economic independence of the Bhantus. It has certainly created an entirely new opening for a criminal tribe of long standing and has given to those who have taken advantage of the scheme a completely new start in favourable surroundings.

9. Section 7 of the United Provinces District Boards Act, 1922, provides that one of the two members whom Government is empowered to nominate as members of a district board shall ordinarily be selected from among the backward and depressed classes. Government have complied with this provision of the Act in making nominations to the majority of district boards. Where suitable persons belonging to backward and depressed classes could not be found Government have nominated other persons to represent them giving preference to those who had worked amongst them or shown interest in their welfare. Further, in pursuance of a resolution adopted by the United Provinces Legislative Council Government have decided to nominate one person belonging to the depressed classes to each municipal board provided persons, fitted by education and otherwise, to further and safeguard their interests are available. They have also decided in the case of notified area committees having more than two elected members to increase the number of nominated members to two and to fill the additional seat by the appointment of a person to represent the depressed classes.

[Extract from the Census Report, United Provinces, 1901.]

Subsidiary table I.—Caste, tribe and race by social precedence and religion.

GROUP X.

(a) *With respectable occupations.*

Caste, tribe or race.	Persons.
(1) Lakhera	2,793
(2) Churihar	1,403
(3) Manihar	5,695
(4) Kalwar	324,375
(5) Teli	732,367
(6) Bhar	381,197
(7) Tharu	24,219
(8) Bhogsa	5,064
(9) Bhotia	9,832
(10) Saun	896
(11) Banjara	45,628
(12) Naik (in plains)	2,544
(13) Belwar	1,697
(14) Kuta	6,204
(15) Orh	14,248
(16) Ramaiya	3,158
Total (a)	1,561,320

(b) *With occupations considered more or less degrading.*

(1) Dhunia	20,369
(2) Arakh	73,702
(3) Mochi	10,830
(4) Radha	3,567
(5) Bhagat	882
(6) Paturiya	4,537
(7) Kanchan	65
(8) Naik (in hills)	2,070
(9) Bhand	129
(10) Dharhi	12,747
(11) Harjala	365
(12) Hijra	35
(13) Lunia	399,886
(14) Beldar	46,520

Caste, tribe or race.	Persons.
(15) Kharot	4,859
(16) Khairha	88
(17) Khairwa	25
(18) Parahiya	234
(19) Kol	49,653
(20) Kharwar	15,496
(21) Cheru	5,942
(22) Majhwar	21,259
(23) Manjhi	85
(24) Pankha	4,824
(25) Kothwar	53
(26) Bhuinya	1,599
(27) Bhuinyar	3,870
(28) Ghasia	345
(29) Patharia	542
(30) Pahri	1,590
(31) Bayar	15,211
Total (b)	<u>701,379</u>

(c) Suspected of criminal practices.

(1) Meo and Mina	10,546
(2) Khangar	27,376
(3) Dalera	1,925
(4) Badhik	198
(5) Barwar	5,331
(6) Bawariya	839
(7) Bhantu	300
(8) Sansia	1,595
(9) Kapariya	88
Total (c)	<u>48,198</u>
Total, Group X	<u>2,310,897</u>

GROUP XI.

(1) Dhobi	609,445
(2) Rangrez	1,800
(3) Rangsaz	79
(4) Kori	990,027
(5) Balai	454

Caste, tribe or race.	Persons,
(6) Saiqalgar	1,250
(7) Dabgar	6,452
(8) Raj	2,827
(9) Aheriya	17,774
(10) Bahelia	37,814
(11) Nat	56,263
(12) Beria	8,810
(13) Bengali	1,214
(14) Dhanuk	127,581
(15) Dusadh	72,124
(16) Sunkar	744
(17) Khasik	199,591
(18) Pasi	1,239,282
(19) Tarmali	59
(20) Boriya	18,614
(21) Bansphor	11,934
(22) Dharkar	40,037
(23) Bajgi	5,818
(24) Habura	4,103
Total, Group XI	3,454,096

GROUP XII.

(1) Chamar	5,890,639
(2) Gharami	142
(3) Agaria	1,186
(4) Musahar	41,187
(5) Kanjar	18,198
(6) Dhangar	1,586
(7) Korwa	617
(8) Saharya	7,559
(9) Bhangi	353,530
(10) Balhar	1,988
(11) Basor	36,510
(12) Domar	7,764
(13) Dom	233,915
Total, Group XII	6,594,821

GROUP XIII.

(A)			Persons.
Caste, tribe or race.			
(1) Atashbaz .. ..	..	..	21
(2) Bisati .. ..	..	..	115
(3) Dafali .. ..	..	..	27
(4) Dogra .. ..	..	..	29
(5) Gandhi .. ..	..	..	225
(6) Gara .. ..	..	..	11
(7) Jhojha .. ..	..	..	191
(8) Pankhia .. ..	..	..	285
Total (A)			904
(B)			
(1) Bhil .. ..	..	..	270
(2) Bhopa .. ..	..	..	172
(3) Gorkha .. ..	..	..	3,835
(4) Ranware .. ..	..	..	726
(5) Rahwari .. ..	..	..	459
(6) Raji .. ..	..	..	63
(7) Satgop .. ..	..	..	169
(8) Sud .. ..	..	..	4
Total (B)			5,698
(C)			
(1) Donwar .. ..	..	..	592
(2) Garg .. ..	..	..	1
(3) Potgar .. ..	..	..	6
Total (C)			599
(D)			
Faqir .. ..	..	..	294,253
(E)			
Unspecified .. ..	..	..	40,251
Total, Group XIII			341,705